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MOZART AND HIS WORKS.

The Life of Mozart, including his Correspondence. By Edward Holmes, author of "*A Ramble among the Musicians of Germany.* New York: Harper & Brothers. 1845.

HE "child of song" has ever strong claims upon mankind! His art peculiarly appeals to our best feelings and kindest sympathies. The element of music is deeply implanted in the human heart by Him of infinite goodness; who, in mercy, has left to fallen man a love for the beautiful, to cheer, elevate, and instruct. Music expresses ideas as well as feelings. Its appeals are not merely sensual, as has been said, but speak to the soul through the medium of the senses with a richer, a deeper, and a more emphatic meaning than words can convey. The art, as the source of pleasure and recreation from the toil and cares of life, has our attention and regard. Its claims are higher as an instrument to civilize and subdue man in his rugged state; to refine and cultivate the heart and sentiments; to aid the influence of science and the arts. Our admiration and reverence are, however, augmented in a ten-fold degree, when music, from a beautiful, becomes a sublime art, in being dedicated to the service of the Deity, the great author of the harmonious, the beautiful, and the sublime in nature. Man in his better state is ever moved by the "concord of sweet sounds." That music which nature stirs within his soul was first called forth by an emotion of gratitude to God for his wondrous works; those of the material universe, but above them the soul with its adornments and aspirations. How truly the poet has joined to the "morning hymn" of the "first parents" in Paradise, the invocation!

> "These are thy glorious works, Parent of good,
> Almighty, thine this universal frame,
> Thus wondrous fair; thyself how wondrous then!
> Unspeakable, who sitt'st above these heav'ns
> To us invisible, or dimly seen
> In these thy lowest works; yet these declare
> Thy goodness beyond thought, and pow'r divine."

Music has always been among the most useful allies of religion. She called forth its earliest aspirations, and the Christian church has continually watched over and directed the progress of musical science. The solemn church song or hymn, which was at first sung in one voice only, or by octaves, is the basis of modern music. A subsequent invention, "figured music," was originated by the church as early as the seventh century. The art was cherished during the "ages of faith" by its mingling in the service of the altar, and being a constituent of Catholic worship. In those much abused times, music was even one of the branches of a learned education: being included in the *quadrivium*,—"arithmetic, geometry, astronomy, and music." The history of this most beautiful science, or art, (as it may most properly be called,) is part and parcel of the history of the church, even to the present time. The sovereign pontiffs ever cherished it, and have been its munificent and discriminating patrons. One of them, the truly great Gregory, has continued the impress of his style even to the music of our day. We have neither space nor time to follow the gradual stages in the progress of the art under the sanction and protection of the church. The preceding remarks are merely intended as introductory to a brief notice of one of the greatest masters of sacred composition, a fit theme for a Catholic pen, and highly suitable to the pages of a Catholic periodical.

The "sublime and beautiful" unite in the almost inspired productions of Mozart's great genius. His lyre was strung in tune to every department of his art,

"Whether reason or fancy, the gay or the grave;"

but its very best and sweetest strains are offerings at the source of all inspiration, and dedicated to the service of religion. This fact furnishes the great claim of Mozart upon *our* grateful remembrance and profound admiration. His reputation is "world-wide," and as a household word with all; not alone with the professor or the *amateur*, but even among those having but a dull, if any, sense of harmony and musical effect. It has outlived petty jealousies, the trammels of fashion, the hackneyed conceit of mannerism, and straitened circumstances, which obscured his early fame, and indeed, also, to some extent, the glory of his name while he lived. His genius was universal. Unprecedented rapidity of production, universality of power, a permanent influence on art, the models he created and has left us, and the constantly advancing march of his genius arrested in the season of greatest hope,—all unite in placing the name of Mozart first, and alone, among musicians.

The American reader, before the publication of the work with the title of which we have prefaced this notice, had immediate access, in English, to no connected life of the greatest of musicians. A good and full life of Mozart was a *desideratum* which, it seems to us, has been supplied by the able work of Mr. Holmes. The "Life" appeared first in London; the volume before us being from the recent American republished edition. Some of our publishers have fallen into the fashion, rather disingenuous, to say the least, and "more honored in the breach than the observance," of re-issuing British works here without the slightest credit to the foreign source. No one would imagine, from the title-page and appearance of our copy, but that the Messrs. Harpers had paid for, and originally published the manuscript from the author himself. They do not even say "thank'e!" to the English edition, from which theirs is taken. This system of *reprisals* upon British literature is not by any means creditable. But our concern now is with the author, not the book speculator. Mr. Holmes' work is quite full; perhaps as bulky as would please that important class, the buyers, whose tastes it is necessary that the author, who lives by his pen, should consult. It sketches, with tact

and discrimination, the life of Mozart, its varied incidents, struggles, and influence on art; the progress of his genius, and the brilliant reputations that paid it homage in its own day. It abounds with details of great interest and variety, connected with the private and public career of the composer, from the promise of early boyhood until his bright light flickered, and then was quenched in the gloom and sadness of a premature death. The author, within moderate compass, has managed to bring together a great variety of valuable materials, including a satisfactory list of Mozart's numerous compositions, accompanied by the amusing and exciting circumstances under which the most celebrated of them were executed. He had access, for the purpose, to the most full and authentic sources of information. His work is calculated to interest the general reader almost equally with the musician. We have but one source of regret in connection with the valuable volume of Mr. Holmes: it is that a more Catholic pen had not dictated particular passages relating to the religious and pious Leopold Mozart, the father of the composer, and his attached family circle. The incidents therein referred to could only be felt in their full force and value by one having the knowledge to appreciate the simple faith and piety, so truly Catholic, of the elder Mozart. In our remarks upon the genius and works of the great musician, we shall make use freely of the thoughts of our author, and of his pages by way of extract. Leapold Mozart, the father, was a musician by nature and cultivation. He attained high perfection in his art, and was himself a diligent and successful composer. He obtained a post in early life among the court musicians of the prince archbishop of Salzburg, and subsequently rose in that service to be vice *kappell meister*, (composer and conductor of the orchestra.) Of seven children, two only survived to him. The others died in infancy. The survivors were Maria Anna, born in 1751, and John Chrysostom Wolfgang Amadeus, born January 27th, 1756.

We can attempt but a brief sketch of the development of the musical faculty in the young Mozart. He was, of course, indebted to nature for his ability, but yet those natural endowments were greatly modified and directed by early culture and education, under the constant direction and supervision of a father. That parent watched with emotion the dawning of a talent in his son, which from thence became the chief care of his life. It grew under his fostering hand, and to the capacity and skill, as a musician, of the elder Mozart we may in a measure attribute the happy bent given to the genius of the pupil. To a parent's example and pious precepts, we may also assign an influence that cherished a taste for sacred composition. We regret that we can not pursue the "lights and shadows" of the family circle, as they illustrate the subsequent career of the youthful musician. A genius for music was born with the Mozart children. They both gave evidence of capacity for the art at an early day; the boy, however, in a greater degree than his sister. The talent of the latter survived these precocious evidences. With Wolfgang the bright promise of his infant years was more than accomplished.

His genius, as it advanced with rapid strides under the cautious and guiding hand of the father, became broader and deeper; and excited, day by day, greater astonishment and expectation. The child seemed to attain, as it were, by intuition that which others, of no mean capacity, might spend years in acquiring. Of the young Mozarts, the sister was by some years the elder, and with her the development of talent first took place, or was first observed. In the words of our author:

"The wonderful musical genius of his family came to light almost accidentally. When the girl had reached seven years of age she became her father's pupil on the clavier, at which her progress was great and uniform, and finally made her mistress of the highest reputation that any female

performer had ever acquired on a keyed instrument. Her brother, at this time three years old, was a constant attendant on her lessons, and already showed, by his fondness for striking thirds, and pleasing his ear by the discovery of other harmonious intervals, a lively interest in music. At four, he could always retain in memory the brilliant solos in the concertos which he heard; and now his father began, half in sport, to give him lessons. The musical faculty appears to have been intuitive in him, for in learning to play he learned to compose at the same time, his own nature discovering to him some important secrets in melody, rhythm, symmetry, and the art of setting a bass. To learn a minuet, he required half an hour; for a longer piece, an hour; and, having once mastered them, he played them with perfect neatness and in exact time. His progress was so great, that at four years of age, or earlier, he composed little pieces which his father wrote down for him."

The little Mozart's first essay at holding the pen was in the capacity of composer. It is not clearly ascertained which was his first composition; a remarkable specimen is preserved, composed in his fourth year. The young author, at this period, was an interesting and intelligent child; and was remarked for none of those unnatural developments of manner and taste which often attend precocious talent, and are generally considered unfavorable to its advance. He was, on the contrary, unconscious of his own powers; simple and artless, and devoted to the recreations of his age. Even his childish pleasures furnish evidence of the ascendency the art had gained, and were more or less connected and associated with music. His play-things were carried from room to room generally to the sound of the voice or instrument.

The elder Mozart was astonished in the progress of instructing his child, not so much with his great eagerness for knowledge as by the impossibility of telling him any thing of which he was not already in possession. There was a mystery in this originating which the father regarded with wonder. It was but the mystery of genius, which teaches that man is but an instrument in the hands of the great Author of mysteries. Mozart, at a subsequent period of his career, was unable himself to account for the same faculty, and we find him in a tone of modest sincerity, little characteristic of an envious spirit, and honorable to his genius, confessing the *original* faculty, which he so eminently possessed, to consist in the activity of a principle within him, as it were beyond his own power of volition, and in a manner apart from his control. The following allusion to his habit of composition occurs in a letter from Mozart to a correspondent about 1790:

"You say you should like to know my way of composing, and what method I follow in writing works of some extent. I can really say no more on this subject than the following, for I myself know no more about it, and can not account for it. When I am, as it were, completely myself, entirely alone, and of good cheer—say travelling in a carriage, or walking after a good meal, or during the night when I can not sleep—it is on such occasions that my ideas flow best and most abundantly. *Whence* and *how* they come, I know not, nor can I force them. Those ideas that please me I retain in memory, and am accustomed, as I have been told, to hum them to myself. If I continue in this way, it soon occurs to me how I may turn this or that morsel to account, so as to make a good dish of it, that is to say, agreeably to the rules of counterpoint, to the peculiarities of the various instruments, &c.

"All this fires my soul, and, provided I am not disturbed, my subject enlarges itself, becomes methodized and defined, and the whole, though it be long, stands almost complete and finished in my mind, so that I can survey it, like a fine picture or a beautiful statue, at a glance. Nor do I hear in my imagination the parts *successively*, but I hear them, as it were, all at once *(gleich allez zusammen)*. What a delight this is I can not tell! All this inventing, this producing, takes place in a pleasing, lively dream. Still, the actual hearing of the *tout ensemble* is, after all, the best. What has been thus produced I do not easily forget, and this is perhaps the best gift I have my Divine Maker to thank for."

The existence of true genius, spontane-

ous we may also call it, in the young Mozart, was revealed by various interesting and highly amusing incidents, recorded by our author. We regret we have not room for them.

The father, being convinced that he possessed in the little Wolfgang a prodigy, made a visit to the Bavarian court, at Munich, in 1762, where they were well received. He subsequently made other visits with his children at different periods to France, England, Italy, and other parts of Europe, and appeared before their various courts with much profit and great applause, but our limits prevent us from enlarging upon these tours and the interesting events connected with them.

The disposition of the young composer was remarkable for extreme sensibility, as has been before remarked, and exhibited that fine organization we look for in the master of harmony. With Mozart the march of genius outstripped the moral traits of the man as they gradually unfolded themselves. At the age of six years he was not alone versed in the employment and combination of instruments, but, a greater wonder! at that early age "knew the effect of sounds as represented by notes, and had overcome the difficulty of composing unaided by an instrument." His power in *mental* music continually increased. His ear was, also, exquisitely fine, and accurate even at this early age. While wonderful capacities were every day developing themselves, he preserved the happy simplicity of the child. His compositions during this period continued to increase in number and importance. A letter, of about that time, says of the young Mozart: "in all that he does or says there is spirituality and feeling, adorned by the peculiar grace and gentleness of childhood."

During a tour to Rome, made in 1769, they arrived in holy week, and were present in the Sixtine chapel during the performance of the famous "*Miserere*" by Allegri. This piece of music was then in such esteem, that a knowledge of it was confined to the choir of the holy father. The musicians of that choir were forbidden to take any part of it away, to copy it, or otherwise make it known. In spite of these precautions, which seemed complete, the young Mozart stole the music—by copying it, as performed by a double choir, from hearing and memory, the result of *two* visits only to the Sixtine chapel.

We are surprised to hear the biographer declare, speaking of the elder Mozart, that "as the fame of his son increased, the pecuniary resources of the family became gradually impaired." We can partly account for this by taking into view the great expense of numerous professional tours, by father and children, as compared with inadequate receipts. In fact, Leopold Mozart never realized the expectation, fondly entertained by him, of spending the decline of his days, through the success of his son, in peace, comfort, and plenty. He continued needy to the last. The son, also, from misfortune, bad management, profuseness, or a want of thrift, was himself often in want. His great genius did not prevent him from closing his brief career in comparative indigence. Had he even lived to a more mature age, we can not suppose, with his peculiar qualities, that he would have materially bettered his fortunes. Such is the usual fate of great abilities, whether with or without those traits, Mozart so little appreciated. He left at his decease heavy debts, which were, however, discharged after the lapse of years, through the respect for his memory and exertions of his widow. We take a hurried leave, with pleasure, of this sad feature in the great composer's checkered history.

We have carried the reader, in a manner necessarily quite brief, through the early career of Mozart during the first development of his wonderful genius, and would like to direct attention, also, to the portions of his mature career, when his compositions had attracted the admiration and homage of Europe, but are compelled

to leave this part of his history, to conclude with a brief reference to the results of his genius; those great masterpieces of art left as *models* to our day, as yet never surpassed, if, indeed, equalled.

The number of Mozart's compositions almost exceed belief. No musical author of eminence has ever surpassed him in this respect. His works are uniformly distinguished for power and originality. His muse seems to have been never weak or irresolute, but ever "Mozartish," a term employed to express the characteristic feature of his labors. He worked out for himself a course, dictated solely from his own conceptions of art, from which he never turned aside through fear of censure, of envy, or of fashion. Independence of all trammels, aside from the dictates of his own capacity and taste, called up the censure of mannerism and ignorance; of this professional envy was but too ready to avail itself. Mozart's greatest compositions were, from similar causes, either at first received with faint applause, or with ill-concealed or affected censure. We are astonished at the details of even cold welcome given, by portions of the musical world of his day, to works of genius now regarded alone with wonder and enthusiastic delight. Much of that opposition was surmounted while Mozart still lived. Since his death, the last shade of indifference and censure has merged in the unity of warm appreciation. Now, in our day, at the distance of more than half a century, amidst the men of another generation, the works of the composer, in various modes of republication, or first printed from the MSS., are continually springing into life. Mozart's influence upon the musical world is still on the increase, and will continue to weigh in the fashion of future art. The present day is unacquainted with much that he accomplished during his brief career. Even during life many fugitive pieces remained scattered, and *unclaimed* except by pretenders to his inspiration. His pen was ever at the service of a friend; a generous impulse of his nature that was often abused. Even those "dying notes"—amidst which his spirit departed—the immortal "Requiem"—were not exempt from the dishonest arts of the plagiarist. It has been stated that Süssmayer, who had obtained possession of one transcript of the "Requiem," the only other copy given from Mozart's possession before his decease, going to the individual who had engaged its composition, published the score some years afterward, claiming to have composed from the *Sanctus* to the end. This story found partial credit until as late as the year 1839, when a full score of the "Requiem" in Mozart's handwriting was discovered, and set at rest the question of authorship. We are enabled, however, to estimate the number of Mozart's compositions from the complete and fragmentary works that remain to us. These have been collected by friends and biographers, and we are in possession of accurate accounts of them carefully compiled. There is, also, positive, or faint record of other works unfortunately lost. M. Von Nissen, of Copenhagen, who, many years after the death of the composer, married the widow of Mozart, collected and published the great musician's correspondence in the original German, and also furnished a catalogue of his works. From this, and by collation of the catalogue of André, of Offenbach, with Mozart's own catalogue, as well as from scattered memoranda, and with the addition of several pieces collected from MSS. in the possession of the same André, Mr. Holmes claims to give in an appendix to his volume "a full account of Mozart's compositions," as far as they have been preserved by him, "for the first time given to the public."

This "Appendix" consists of four catalogues. The *first* comprehends "compositions produced by Mozart between his seventh and twelfth year," and is arranged under thirty-two heads, each one including one distinct piece, or several pieces for the same instrument, published together. It

is made up from a very great variety in number and character, including two complete masses, seven sacred pieces, two oratorios, a stabat mater, a "kyrie," a "cantata on the passion," a "veni sancte spiritus," and "a grand offertorium, * * with accompaniments for an orchestra;" also of "sonatas" for the clavier, variations, "Italian airs," symphonies, minuets, concertos, &c. &c., for various instruments, as the violin, violoncello, flute, horn, bassoon, trombone, trumpets, drums, &c., an "opera buffa," and other works. We have given the preceding with some particularity that the reader may be enabled to estimate the versatile character of the composer's genius even in its infancy. Mozart was then but a child. The *second* catalogue includes "works composed by Mozart from February 9th, 1784, to November 15th, 1791." The works of each year are collected in consecutive order, and according to their respective months when executed. In the year 1784 we have enumerated about twenty compositions for pianoforte and violin. In 1785 about the same number of various descriptions. In 1788 an increased amount, including the celebrated "le Nozze di Figaro." The number of compositions varies throughout succeeding years. Among the more distinguished and elaborate works of the years between 1783 and 1791, we may mention "Il Don Giovanni," the instrumentation of Handel's "Messiah," "Cosi fan tutte," and the instrumentation of Handel's "Alexander's Feast," and ode on "St. Cecilia's Day." In the very year of his death, which took place in December, 1791, were composed a sacred piece, "Ave Verum Corpus," the celebrated "Die Zauberflöte," "La Clemenza di Tito," and the greatest and *last*, only finished with life on the death-bed, the "Requiem," which, though all his other works were lost, would ever endure a monument of renown to the sublime genius of Mozart. In our brief sketch of the *second* catalogue, we have but mentioned the compositions known by reputation to the general reader; the musician will find therein other favorites of equal celebrity among those of his art. It does not include many works of the composer executed during the last year of his life, and presented by him to meet the wishes or necessities of various friends, but of which he preserved no copies. The *third* catalogue includes "musical fragments and sketches found among Mozart's papers, with a description of them by the Abbé Stadler." These fragments and sketches we may regard as the *nuclei* of great undertakings, had their author survived to build higher the fabric of his fame. We can merely glance over them. They include an immense number of fragments for the clavier, violin, wind instruments, and for vocal composition; among the latter, several sketches for sacred subjects, as seven kyries, a gloria, &c. The *fourth* and last list, given by our author, comprises the compositions, *in addition* to those previously named, that Mozart left *complete*, exceeding in number three hundred and eighty-two. It contains "thirty various church compositions," an oratorio, "Davidde penitente," the remainder made up of operas, operettas, and various compositions for the voice and instruments. The "thirty church compositions" include masses, litanies, offertories, motets, hymns, cantatas, &c. We have alluded especially to Mozart's sacred works, although it became necessary in passing to mention his secular compositions, in order that the reader should be able to appreciate the number and originality of his labors.

From the preceding summary some idea may be formed of the extent and fertility of that genius which, only just arrived at its prime, was yet capable of accomplishing such prodigies. What a vast mine of musical wealth (if the expression may be allowed) does it not present? And of those multiform labors scarcely any, if even one, are unworthy of the intellect that originated the "Requiem."

We must close with the story of that "Requiem," embracing as it does the fi-

nal clinging to earth of the great spirit of its author. While the last strains of the sublime composition yet lingered upon his lips, the "silver cord" that linked to the mortal tenement in Mozart the very soul of harmony and song, was loosed for ever. His genius dissolved amidst the melting tones of its sweetest inspiration. From the first note he was under the presentiment that he was engaged upon the *Requiem* for his own departure. Nothing was able to disabuse him of the impression. He continued to maintain it to the last. Yet strange to say, though thus warned, no "viaticum" consoled in its departure (if we are to credit the assertion of our author) the soul of the dying musician. According to Mr. Holmes, he made no effort for spiritual aid in his extremity. On the other hand, there is reason to believe that Mozart retained the pious principles and precepts of his youth during the latter period of his life. We gladly and confidently distrust the assertion in the absence of all proof. The composer died in no evil dispositions, but under an influence derived from the sacred tones of his favorite "Requiem." In June of his last year of life, 1791, he produced his "Ave Verum Corpus," a strain of calm and exalted religious feeling. We can indulge the hope that the great soul of Mozart, fretted by a life of sad reality, THERE found at length a resting place and repose, whither his sublime efforts in sacred art have continued to direct the aspirations and worship of so many millions.

While engaged upon the "Zauberflöte" in May, 1791, the symptoms of decay appeared. Says our author:

"Early in August the composer was one day surprised by the entrance of a stranger, who brought him a letter without any signature, the purport of which was to inquire whether he would undertake the composition of a requiem, by what time he could be ready with it, and his price. The unknown expressed himself on this occasion in a manner as flattering as it was mysterious. Mozart, who was never accustomed to engage in any undertaking without consulting his wife, related to her the singular proposition made to him, adding that he should much like to try his hand in a work of that character, as the elevated and the pathetic in church music was his favorite style. She advised him to accept the engagement, and he accordingly wrote an answer, stating his terms for the composition, excusing himself from naming the precise time of its completion, but desiring to know where it should be sent when finished. In a few days the messenger returned, paid twenty-five ducats, half the price required, in advance, and informed the composer that, as his demand was so moderate, he might expect a considerable present on completing the score. He was to follow the bent of his own genius in the work, but to give himself no trouble to discover who employed him, as it would be in vain. On the departure of the stranger he fell into a profound revery; then, suddenly calling for pen, ink, and paper, began to write.

* * * *

"Just as Mozart and his wife were entering their travelling carriage for Prague, the stranger who had brought the commission for the requiem suddenly reappeared. 'How will the requiem proceed now?' he inquired. Mozart excused himself on account of the necessity of the journey, and the impossibility of giving intelligence of it to his anonymous employer, but expressed his determination to make the work his first care on his return. This assurance gave satisfaction, and they separated."

The "Zauberflöte" was produced in the September succeeding. Mozart was then engaged upon the "Requiem." Intense application by night and day to the work was accompanied, as may be supposed in his shattered state, by brooding silence and dejection, until the idea of approaching death assumed the character of monomania. He was under an impression that he had been poisoned, and exhibited in other ways symptoms of a mind deranged by overtasking its powers. To this derangement of reason we may attribute the fact stated by Mr. Holmes, if correct, which we have reason to doubt, that the succors of religion were unsought for by Mozart in his last moments. While in that state of physical and mental disorder, the composer was with difficulty induced by his wife and friends to lay aside

composition. Indeed gentle compulsion was employed, and the score of the "Requiem" taken away by the advice of his physician. Improvement in consequence resulted to his health, and he was once again cheerful among his friends. In this state of renewed health and spirits, he sought again his "Requiem," and his wife, seeing no longer any objection, complied with the request. With the renewal of severe mental labor returned his former illness in more aggravated form. About November the 21st he took to the bed, from which he never rose again. "Now must I go," he would exclaim, "just as I should be able to live in peace; now leave my art when no longer the slave of fashion nor the tool of speculators, I could follow the dictates of my own feeling, and write whatever my heart prompts." The "Requiem" was almost continually on his bed; the following extracts from our author conclude its history as connected with the life of the composer:

"One of his last efforts was an attempt to explain to Süssmayer an effect of the drums in the 'Requiem;' he was observed, in doing this, to blow out his cheeks, and express his meaning by a noise intelligible to the musician.

"At two o'clock on the same day, which was that of his death, he had been visited by some performers of Schickaneder's theatre, his intimate friends. The ruling passion was now strongly exemplified. He desired the score of the 'Requiem' to be brought, and it was sung by his visiters around his bed, himself taking the alto part. Schack sang the soprano; Hofer, his brother-in-law, the tenor; and Gerl the bass. They had proceeded as far as the first bars of the *lacrymosa*, when Mozart was seized with a violent fit of weeping, and the score was put aside." * * * *

"As he looked over the pages of the 'Requiem' for the last time, he said, with tears in his eyes, 'Did I not tell you that I was writing this for myself?'"

Thus died Mozart on December 5, 1791, in his thirty-sixth year. The favorable turn that fortune seems to have taken with him, the last few months preceding decease, increases the melancholy interest of that sad event. We close this notice of "Mozart and his works" in the appropriate concluding words of our author, Mr. Holmes:

"His works remain the "starry-pointing pyramid" of one who excelled in every species of composition—from the impassioned elevation of the tragic opera to the familiar melody of the birthday song; nor will they cease to command universal admiration while music retains its power as the exponent of sentiment and passion."

THE CHRISTMAS HOLYDAYS IN ROME.

(Continued from page 133.)

The Christmas Holydays in Rome. By the Rev. Wm. Ingraham Kip, A. M., author of "The Double Witness of the Church," "Lenten Fast," &c. &c. New York: D. Appleton & Co., 1845.

OUR former paper we left the Rev. Mr. Kip groping his way through the shades of the catacombs, from which, after spending a useless hour among the relics of the martyrs, he emerges into light, to continue his wanderings about the city, and his abuse of the church. One of the first objects that caught his eye was "a splendid carriage flaming with scarlet and gold," within which sat "an old man, dressed, also, in scarlet." And most sapiently he informs us "that is his eminence." If ever the reader of these "Holydays" should be in want of definitions, he must not blame their author. But such definitions! *Exempli gratia:* What is a cardinal? *An old man dressed in scarlet!**

Romani tollent equites peditesque cachinnum.

Two propositions, however, which he has stated will be contradicted by no Catholic: the first, that "for centuries the college of cardinals has been in many respects the *most powerful legislative body in Europe,*" and the second, that Cardinal Reginal Pole, the last of the Plantagenets, was "one of the gentlest and holiest of men." Would that his exertions to bring back and preserve under *Roman obedience the rich tillage lands and dusky woodland chases* of England had been successful. Then that unfortunate island-church which has, for three long centuries, seen the garment of her pristine unity torn and tattered into a thousand fragments, would have been spared the evils, and schism, and scourges that have accumulated with the growth of her power, and the vast extent of her dominion. The boundless empire of pagan Rome spread over her prostrate subjects the wings of her imperial eagles and the delusions of her superstitions. In like manner, England, exceeding the magnitude of the mistress of the world in the conquests of her arms, has hardly yielded to her in the dissemination of fatal and unnumbered errors. For while she boasts of propagating the Bible, teaching Christianity, and erecting sees wherever the sun shines, she merely, by so doing, sows wider and farther the seeds of disunion and schism, and perpetuates the growth of tares in the garden of the church, which, at the end of time, will be cut down and thrown into the fire.

Our traveller, after informing us that the sacred college consists of fifty members, of whom Padini is the oldest, and Scwartzenburg the youngest, introduces us, together with himself, to the person he most wished to see in Rome—Cardinal Mezzofanti. We will let him describe this circumstance in his own language:

"The son of an humble tradesman, he commenced his career as a librarian. His birthplace—as he himself informed me—was Bologna. When an obscure priest in the north of Italy, he was called upon to confess some criminals who were to suffer death next day. They proved to be foreigners condemned for piracy, and he found himself utterly unable to hold any intercourse with them. Overwhelmed with grief at this unlooked for impediment, he returned to his home, spent the night in studying their language, and the next morning confessed them in the tongue 'wherein they were born.' * * * * His knowledge for languages seems to be

*P. 206.

almost intuitive, for he acquires them without the least apparent difficulty. At the age of thirty-six he is said to have read twenty, and to have conversed fluently in eighteen languages. At the present time he speaks forty-two. * * * When the revolt of 1821 broke out, and Bologna for a time threw off the papal rule, Mezzofanti exerted himself so earnestly in behalf of the pope, that he was afterwards called to Rome, and rewarded with an appointment under Mai. When that distinguished scholar was made cardinal, Mezzofanti was raised to the same dignity."*

The high elevation to which this once obscure priest was raised, did not in the least affect his humility. There are some characters too intrinsically great to be injured by the adventitious circumstance and pomp of dignity: nay, whose modesty appears more strikingly conspicuous from the glare and glitter that play around it. Such a character is pre-eminently Mezzofanti, as Mr. Kip himself acknowledges:

"And yet, with all these high qualifications, there is a modesty about Cardinal Mezzofanti which shrinks from any thing like praise. When complimented on the subject of his acquirements, he sometimes answers: 'Do not mention it; I am only a dictionary badly bound.'"†

With regard to the English language, he speaks it correctly, with a slight foreign accent, and is well acquainted with British and American literature. The latter he esteems much on account of purity of style, which he thinks has, for the last half century, been less disfigured by foreign words than the English. With the Algonquin tongue he is well conversant, and knows something of the Chippewa and Delaware. And, notwithstanding all this, can the reader believe it possible that our exacting rambler was even here likewise disappointed. "He by no means satisfied me as to the depth of his literary acquirements!" Did Mr. Kip examine the cardinal? Could he have conversed with him fluently enough in any other language than the English? He was not satisfied, forsooth, with the marvel of this age—a walking library—a breathing miracle; so considered and venerated by all profound men, and especially by one of the best judges and shrewdest observers—Lord Byron, who declared that Mezzofanti was the only foreign *literary* character that he wished to see twice; . . . who was a prodigy of language, a Briareus of the parts of speech, a walking library, who ought to have lived at the time of the tower of Babel, as universal interpreter; a real miracle, and without pretension, too. He tried him in all the languages of which his lordship knew only an oath, ... and he puzzled him in his own idiom.

Which notwithstanding, Mr. Kip must have something to find him deficient in—and that after a few minutes' conversation. He affirms that Mezzofanti has never displayed any thing philosophical in his character, and that he does not possess the philological discrimination and combination of Schlegel. Wonderful discovery—for which Mr. Kip deserves a patent: that the elegant and easy mind of the Roman differs materially from the difficult and elaborating genius of the German. And that it is one thing to excel in one particular science, and another to understand *all* the languages in which *all* sciences are treated. Promising the reader that he will long remember the old cardinal's friendly smile, and expressing a hope to meet him again in a better land, Mr. Kip takes farewell of Mezzofanti to muse, with all due Protestant sympathy, in the Protestant burial ground.

The first ebullitions of his sorrow are poured over the grave of "young Devaux," of Charleston, South Carolina, whose story forms the subject of a lugubrious episode. During the illness of this gentleman, he tells us, every possible attempt was made to attach him to the church of Rome. The Rev. Pierce Conelly, once a clergyman of the Episcopal church in the United States, but who some years ago *abjured the true Catholic faith*, was unceasing in his attentions. An English lady, also, another proselyte, was exceedingly busy in her efforts. But

*P. 207. †P. 209.

he was rescued from their assiduities by a clergyman of the Protestant church from his own land, and died, after having received the communion at his hands.

It is curious to mark the confidence with which Mr. Kip styles his faith the *true Catholic faith.* The Rev. Pierce Conelly, an American clergyman of *his faith,* after mature inquiry and profound research, discovered that it was not the true faith: and he forsook "all things" to follow Christ in the church which had been founded by his divine wisdom, and which was to continue for ever. Convinced as he was of the blessing of being a member of the body of the ancient church, no wonder that he evinced a tender and zealous solicitude for his dying countryman, and had he succeeded in converting Mr. Devaux, I put it to the conscience of Mr. Kip whether that gentleman might not have been saved in the faith of Rome? If he admits the affirmative, why so bitter in his sarcasm against the efforts of Mr. Conelly and the English lady? If the negative, who is he to judge his neighbor, or how could he in parting with Mezzofanti, trust that they should meet in heaven, "where all differences are forgotten, and our Father welcomes as his children *all those* who loved him in sincerity and truth?" From this dilemma there is no escape for the Rev. Mr. Kip: who has no right whatever to arrogate to his denomination exclusively "the pure truths of the Gospel."

He next bends over the grave of a YOUNG ENGLISH POET, and exclaims with every visiter, after quoting Shelley, "Poor Keats!"

In this lovely place he lingered, "until the increasing dampness, showing that the dews of evening were falling, warned him to return home." Whence, after having reposed till morning, he sallied out again to visit the palaces of Rome. To follow him through this so often beaten tract, and over which he strews no novelty in his career, would only be to repeat the guide-book by heart. We will, however, record what he "heard mentioned in conversation" concerning the late Princess Borghese, whose gentle and yet magnificent accomplishments and virtues have attracted the admiration of all Europe. He writes:

"The present prince married a lady as widely different in character from the Princess Pauline as is possible. She was the daughter of the earl of Shrewsbury, and died about two years ago, leaving behind her a character for sanctity, which *seems* to have been gained by a life of earnest devotion and ceaseless charity seldom witnessed in her elevated rank. She would steal away from the magnificence of their villa where every thing was around her to win the affections to earth, and, in the dress of one of the Sisterhood of Charity, go through the city seeking every where distress and misery to which she might minister. I read her funeral sermon while in Rome, and, if half is true which is there related, or which *I heard mentioned in conversation* as illustrating her spirit of self-denial, she deserves to be canonized more than *nine tenths* of those who now figure in the Romish calendar."*

As usual Mr. Kip wields a double edged sword which cuts both ways. If he stumbles upon any thing so conspicuously admirable that he can not in common decency withhold his eulogy, he invariably spoils his faint praise by going far out of his way, very often, to reach something at which he may have a fling. This appears evident in the above extract, in which, uniting his voice with that of all Rome in consecrating the memory of the late young, beautiful, and holy princess, he ends his panegyric of her by insulting the church which she loved, and the saints whom she invoked. Only nine tenths of our "Romish" saints, according to this oracle, deserve to be canonized. Has he ever read their lives? Does he know more about them than the "Esquimaux?" Is he, in this respect an ignorant and forward scribbler, a more competent judge of the merits of the saints than the whole Catholic world that venerates and cherishes the names of those who, recorded in the calendar, are embalmed in the benedictions of

*P 233.

the faithful? May not Mr. Kip take to himself the proverb: *I have not learned wisdom, and have not known the science of saints:** otherwise how could he endorse the infidel lines of Shelley which he quotes?

> "No doubt Pope Clement
> And his most charitable nephews pray
> That the Apostle Peter and the saints
> Will grant, for their sakes, that I long enjoy
> Strength, wealth, and *pride*, and LUST," &c.

And how could he have the presumption to affirm that, "whatever deed of wickedness was detected, Count Cenci could always purchase pardon from the pope?" Mr. Kip forgets his soliloquy about the *successor of St. Peter* which he made in a more Christian mood some chapters above. And fearing not to leave on his Protestant readers an impression less explicitly than he intended, he marshals again and again the sneers and calumnies of the most undisguised skeptic of recent times in terrible array against the religion of Rome—a religion which *has no necessary connection with any one virtue!* It is no rule for moral conduct. It is identified with villainy, inasmuch as the *most atrocious villain may be rigidly devout.* It is a mere temper of the mind, a passion, an excuse, a refuge: *never a check.* These are the terms in which a minister of the Episcopal church gives vent to his prejudices against that venerable faith which changed the face of the earth, and perpetuated the inestimable blessings of Christianity and truth from generation to generation. Had Shelley a better opinion of Protestantism than of Catholicity?

But really our traveller must have been laboring under some peculiarly morbid influence when he indited such unseemly language, and trusted himself to such infidel prepossessions. Otherwise there would be no accounting for another altogether contradictory strain, and that so soon after, in which he indulges in visiting the churches of Rome. Hear him:

"The traces of antiquity are there also, for you can stand within the walls where they worshipped who, for fourteen centuries, have been hymning praises in the paradise of God. There, too, painting and sculpture have placed their noblest works, for you are among a people the spirit of whose faith it is to *dedicate the best they have* to the Lord."*

Surely it is safer, after this acknowledgment, as well as more ennobling to the heart's deep sympathies, to worship after the manner of those blessed saints than to risk the modern and formal liturgy of the reformation, which has interrupted in certain parts of the earth the hymns of praise and the oblation of sacrifice which in the primitive church were practised, and in the Roman Catholic—the same as it was in the beginning—are yet going on, transmitted from age to age, an evidence against the "DOUBLE WITNESS" of the Episcopal church. Little is this everlasting evidence affected by Mr. Kip's stale description of the blessing of horses, or his criticism of the *horns* of Moses, or the wonderful resolution of the "poor Saxon monk" in starting from his knees on the *Scala Santa.* Little do the broils of popes and emperors, the vices of some of the former, or the tyrannic usurpations of the latter, which nothing but the power and thunders of the Vatican could check,—little, we repeat, do all these common-place allusions to the scandalous in the history of the church derogate from the solid and immovable grounds of dogmatic truth on which her divinity is established. This, at least, was the deep-rooted conviction of those charitable and munificent spirits who erected these costly buildings—these sacred edifices, in "the interior of whose vast sanctuaries an impressive solemnity prevails."

Mr. Kip admires the pious generosity of men who could do more for the glory of God's house than for their own residences: he regrets that it has become the fashion now-a-days to call this the fruit of superstition, and expresses his admiration of their laying up treasures in heaven by raising Catholic altars on earth. But his lament over the desolate church, adjoining

* Prov. xxx, 5.

* P. 267.

the Benedictine monastery in the Campagna, has slipped from his mind. "For whose benefit has this sumptuous pile been erected? . . . . . May we not ask the question—*to what purpose is this waste?*" Yes, and Judas asked the very same when the fragrant spikenard was poured out by the penitent daughter of Jerusalem on the feet of the Saviour. Is the rearing a magnificent temple to the Most High any where—amid desolation or fertile fields, in the solitude or the busy town—a *waste?* Especially when the city itself is filled with sumptuous churches, and covered with charitable establishments? Mr. Kip does not deny this fact:

"There are few communities in the world which can equal that of Rome in charitable associations. They are called *confraternities*, and are formed by the voluntary union of individuals, often of high rank, who, in the midst of all the wretchedness around them, devote a portion of their time to its relief. Many of these are never seen by mere travellers, or their existence even suspected, for their sphere of labor is private, yet it would be difficult to estimate the amount of happiness they diffuse. One fraternity, for example, is intended to seek out humble but respectable families who would not be likely to apply for alms, and in some delicate way relieve their wants. The members of another visit the hospitals; others visit the jails; others by voluntary donations pay all debts which the poor have unavoidably contracted; others seek the sick through the abodes of wretchedness. Others come in when the last hour is over, defray the expenses of the burial, attend to the performance of the religious rites, and themselves bear the body to the grave."*

What a picture of papal Rome!—of that city of abomination!—that apocalyptic Babylon! Is there a capital in the Protestant world that can present any thing to compare with it even from the description of a Protestant observer? After this, why so much acrimonious declamation here against the misrule, the disorder, the degradation, the superstition of the pontifical metropolis whose inhabitants are such admirable examples of sympathy for suffering humanity?—whose zeal needs not an "anniversary" excitement to inflame its ardor, and whose spontaneous and disinterested acts of heroic benevolence require no pompous "report," and emblazon no "list of subscribers' names." But whose good deeds are known only to our heavenly Father "who seeth in secret."

With regard to the general character of the Romans, Mr. Kip gives as his opinion that "they have less frivolity—more depth and solidity—more of the haughtiness and reserve of the Spaniard; in short, more character than the Neapolitans, at the same time they excel the French in sincerity, and the Germans in refinement." He admires their "grace of mind," their high degree of "civilization," and the "air of poetry" about even the lower classes. He condemns the custom of travellers who laugh at their "superstitions," just what he himself has been doing all along. He admits them to be kind hearted and generous and charitable. They consequently shame Protestant capitals by their virtues and refinements. Mr. Kip records this fact upon one page, and, lo! on the next he styles them "degraded," and attributes this their strange kind of degradation, in sooth, to the "wretched government" under which they groan—a government leaving them "*nothing to do*, nothing for which to strive, and nothing which it is possible for them to achieve." Our travelling critic has yet to apply the philosophy of the admonition of the Roman satirist: *sibi constet.* He declaims against the "wretched" papal government, in page 303, and in the opening of the twenty-second chapter he lavishes his highest encomiums upon the same.

"The theory on which the Roman government is founded is a noble one—that of rendering every thing subsidiary to religion."*

If this be the case, why should any individual who understands this *noble theory* desire to see a revolution in the papal government? If there exist abuses, let them be corrected. If they in whose hands is

*P. 290.

*P. 312.

vested the administration of that government are unfaithful to their trust, let them be responsible for their infidelity. But wo to the revolutionists who, under the plea of liberty to Italy, seek to undermine religion and faith: the consequence would be only a repetition of at least some of the scenes which were witnessed in France after the altars of the church were thrown down by the fury of *philosophy*. Mazzini and his associates are not the men to regenerate a land—if it needs regeneration—which can never prosper except under the sacred influence of that hereditary faith, which forms an essential part of the character, nay, existence of the Roman people. Mr. Kip, although blending, at one time, his cordial sympathy with Mazzini, whom he exultingly quotes, at another, hesitates at giving so much as an opinion on the religious state of Rome. He feels that it is no easy matter for a stranger, and of a strange faith, to appreciate the moral influence which ceremonies and external rites exercise over the conduct of a people. He occasionally falls into the usual rhetorical tirade against the corruptions of the church, and the bad government of Rome, but still struggling against his individual prejudices, he, ever and anon, gives utterance to a truism which he seems anxious but unable to repress. For instance, in p. 312:

"It is in this spirit (a want of charity) that those without her fold are too much accustomed to estimate every thing which relates to the church of Rome. They look at her course through the middle ages, and denounce it all as one long period of darkness and evil. And yet all that time the church—changed as she may have been from her early purity—was the only antagonist of the ignorance and vice which characterized the feudal system. It was a conflict of mental with physical power, and by the victory she gained the world was rescued from debasing despotism, the triumph of which would have plunged our race into hopeless slavery."

How can it be said, after this, that the Catholic church was the mother of darkness—that she spread over the earth the gloomy pall of ignorance, and the deadly blight of liberty! And let Mr. Kip and all his Protestant readers remember that the spirit which opposed and crushed the despotism of the emperors and the barons is still living in the church, and will always breathe into the breasts of her children an unquenchable love of truth and freedom. Sneer as he may at relics and recent miracles—which constitute no article of our faith; grieve as he may over the "errors" of the church; talk as he may of "the dogmas grafted on her, and which she has unfortunately retained;"—nevertheless, he is compelled to confess—and this confession is a refutation of his whole work—that *the great truths she teaches are the truths for all ages—the awful verities for which confessors and martyrs, in early ages, were willing to die.* He is forced to acknowledge in the close of his book—one of the most incoherent we have ever chanced to read—that she retains Catholic traits—"charitable institutions for the relief of every kind of misery—broad, expansive views, looking over the whole earth as the field of Christian labor—and the solemn beauty of so many of her services, appealing at once to the deepest cravings of the heart by their holy teaching, or raising the soul above this earth by the austere hymns received from early days." *

And yet Mr. Kip, who does not know precisely what he wants, and does not on one day remember, it would appear, what he had written on another, has "no sympathies" with Rome, and will never have any until she "will *return* to the stern purity of his own church!" He looks upon the mother church in the light of a fallen archangel; fallen, indeed, but not shorn of all her primitive brightness, and applies to her the lines in which Milton described the ruined apostate spirit, whose

> "Form had not yet lost
> All her original brightness, nor appeared
> Less than archangel ruined, and the excess
> Of glory obscured."

* P. 326.

Mr. Newman once made the same application, and perhaps it was from his writings that our traveller borrowed it. That learned convert has retracted his rash and, according to his present emotions, blasphemous comparison: and he has taken this step, not superficially, not from a fitful wavering of the mind, but after a laborious investigation, to appreciate the result of which would require a stronger intellect, we fear, than the author of this volume is endowed with. He should, however, be persuaded that his puny powers, compared with those of a Newman, a Ward, an Oakely, Faber—whom he often quotes—will not make the slightest breach in the venerable and everlasting ramparts of the "church of Rome." Would that he might be induced to examine with a disposition of piety and self-disregard that characterize all those great and eminent clergymen of the church of England, who having, a thousand and a thousand times, read of, and perhaps witnessed the "objectionable" ceremonies and practices which he describes and deplores, have, nevertheless, with sorrow for their past errors, and a contempt for all worldly considerations, thrown themselves, in humility, at the feet of the Catholic church. Here are examples, indeed, of the manner in which *union* is to be effected. They have silenced for ever the morbid appeals of Mr. Kip, and others of his school, to the Roman church, to cast aside all that Protestantism objects to; and then, "si superis placet!" they will immediately unite with her absurd proposal; which they know full well is just as practicable as the union of truth with falsehood.

We have thus accompanied the author of the "Christmas Holydays in Rome," as nearly as we could, through all his rambles: and in laying down his book, we do it with impressions more unfavorable of his consistency and erudition, than we could have had any idea of receiving. A more incongruous production never has come from the pen of a travelled "churchman;" written without reflection, without the opportunities of acquiring a true knowledge of what lay beneath the superficies over which he merely skimmed. No ecclesiastical research, no critical examination of things, no original conception, no thoroughly Christian spirit can we find through all its pages. Even the style is often hurriedly negligent, and very diffuse. In a word, we are shrewdly of opinion that, should his "holyday" book, by any chance, find its way to the learned and accomplished circles of Rome, the seven hills will ring with the echo of this their unanimous exclamation:

"Communi sensu plane caret, inquimus, eheu."*

* Hor. Sat. lib. iii, 1.

Discourse on the Life and Character of George Calvert, the first Lord Baltimore: made by John P. Kennedy, before the Maryland Historical Society, being the second annual address to that association. Baltimore: John Murphy. 1845.

HE institution of the Maryland Historical Society has been welcomed by the citizens of our state with general approbation. It is regarded as its proper function to collect and preserve the too long neglected documents of our early history. In the first discourse delivered before the society, the orator declares its intentions and object in the following beautiful language:

"We would disclose in their seclusion and proclaim in all their excellence the treasures that invite research—and would mark the benefits of the maturing records of the times. We would make them a coinage of medals sacred to the honor of the republic—and edifying with political virtue and wisdom—and infusing the only meritorious aristocracy, the pride of state."*

The author of the second discourse, who chose for his subject "The life and character of George Calvert, the first Lord Baltimore," has been distinguished as a polished writer, and an agreeable speaker. He is, moreover, a respectable lawyer, and has filled important stations as a legislator, with credit to himself, and with the approbation of a large portion of his fellow citizens.

Mr. Kennedy seems to have been conscious of the honor conferred on him by his having been selected to deliver the second annual discourse before the respectable body which we have named, without duly appreciating the responsibilities of his position. The author of a historical discourse, delivered under such circumstances, should not have ventured to substitute crude opinions and doubtful theories for the unquestionable truths of history. But Mr. K., with professional adroitness, has labored to "make the worse appear the better cause;" to torture good and honorable motives into bad or unworthy ones; and he has used the privilege of a novelist to make the coinage of his own fancy pass current for truth. His endeavors to build facts upon merely conjectural history—however spirited and original—should not have been essayed in opposition to the records, without a more thorough acquaintance with his subject, and a more comprehensive view of the history of the times than he has displayed. Although long distinguished as a graceful writer in the department of fiction, this, we believe, is his first attempt in the more important province of history. From the general approbation of his talents and the respect for his personal worth, this performance was looked for with considerable interest: which was rather increased than diminished by the delay from June to December, which circumstances had made unavoidable. Perhaps the composition may have suffered from this cause. The belief that much is expected sometimes bewilders the writer as well as the orator; and long protracted time for preparation may obscure the emanations of genius, as superfluous labor often mars the beauty of a graceful structure by encumbering it with incongruous appendages. As a literary composition, we think it inferior to many, perhaps all, of the author's productions. And we regret it; for we were among those who expected something

* First discourse before the Maryland Historical Society, delivered on 20th of June, 1844, by Charles F. Mayer, A. M.

from him, alike creditable to his own talents and honorable to the respectable society who appointed him its orator. With a proper apprehension of the fate of Gil Blas for condemning the bishop of Toledo's last homily, we would say, with that well-meaning critic, that this discourse savors of apoplexy, were it not for its concluding apostrophe to adversity as the tutor of heroes. That portion of the discourse is worthy of the author's best days, and almost tempts us to suspect that it was composed for some other occasion, and merely attached to the discourse on Calvert for a graceful peroration. Ben Johnson, who was free to admit the genius of Shakspeare, would sometimes rail at his neglect of "the unities;" and, in the like spirit, we may suggest that this same peroration is out of both time and place. Out of time, because the drift of the preceding portion of the discourse is to detract from the character of Calvert, for the noble qualities with which history has invested it; and out of place, because, so far as his biographers testify, he had no experience whatever of adversity. Possessed of talents and wealth, honorably employed, patronized by the great prime minister, esteemed and rewarded by his sovereign—what was the adversity in which he was schooled, except when he embraced, in the last seven years of his life, the proscribed creed of the Catholic church? But he appears to have had the address to escape the penalties allotted to his new faith, by withdrawing from England immediately after his conversion. We are now considering Calvert as history has exhibited him;—not in the character which Mr. K. has invented for him. We do not, however, undertake a literary criticism of this discourse. But the auspices under which it has been ushered into existence, give it an importance that calls for the examination of its statements. Ordinary courtesy to its author, perhaps, required that the society should publish it; and by this means it has appeared before the world with a sanction and a consequence to which no intrinsic merit of its own entitles it. Maryland has a right to complain of the author, for using his office for the purpose of lessening her honest pride in the deeds of her founders. All historians who have written on the subject, have conceded to her first settlers the glory of having established a more liberal polity than was to be found, up to that time, in any other state. But Mr. Kennedy has referred this honor to the king of England, who, he contends, granted such a charter as left the proprietary and the colonists no discretion; but made it imperative on them to found the new province upon the basis of religious liberty. The fallacy of this assumption, as well as of other positions taken by Mr. Kennedy, we hope clearly to expose. We should have no reason to complain of the author, had he presented his own peculiar views of history to the society at its ordinary meetings, as other gentlemen have done. There they could have been canvassed, authorities examined, and from the discussion certainty and conviction would have ensued. Truth, on which side soever it might be found, would have triumphed, and the result would have been such acquisitions to our history as it is the special province of the society to preserve, and thus, in Mr. Kennedy's own words,

"Full stores of the treasures of our young antiquity might have been garnered into a magazine safe enough to deliver them unmutilated into our hands!"*

But by the selection of the principal and public meeting, when "all the beauty and all the intelligence" of the city are the invited auditory of an orator who is supposed to speak the sentiments of his constituents,—by using such an opportunity to mystify our history, and to put forward his own conceits in opposition to all historians who have treated of the subject,—he takes an advantage unworthy of his candor, and not in accordance with the spirit of the society. For no one could presume, "in such a presence," to suggest objections to his

* Discourse, p. 5.

statements, or be prepared with authorities to prove their inaccuracy. The publication, in print, of his "historic doubts," requires that they be examined in detail—both for the credit of the state and of that society which is destined, we hope, to be both useful to its history and ornamental to its literature.

Could we believe the portrait of Calvert accurate, as redrawn in the "fancy's sketch" of the orator, we should have little cause of pride or pleasure in contemplating its lineaments. For, notwithstanding all the garniture of eloquence with which he has decked his enumeration of the fancied defects of Calvert's character, the obvious meaning is, that the first Lord Baltimore was selfish in his motives and actions, a sycophant or knave in politics, and in religion a hypocrite. These discoveries certainly are novel, and have escaped all the historians from Fuller down to the scrutinizing Bancroft, and impartial McMahon,—whose brilliant history is equally creditable to his genius, his faithful research, and devotion to truth.

After an outline of the history of the American settlements, the author passes at once to his subject. His first proposition is that the original settlement of Maryland did not

"Owe its conception either to religious persecution, or that desire which is supposed to have influenced other colonies to form a society dedicated to the promotion of a particular worship. This," continues the orator, "I am aware, is contrary to a very generally received opinion. It is my purpose, in what I am about to offer, to produce some proofs of the assertions I have just made."*

In other words, Lord Baltimore did not turn his attention to the settlement of Maryland because of the persecutions of Catholics in England; nor from a desire to secure an asylum for his fellow members of that communion. It is in the attempt to establish this negative and novel proposition, that the author of the discourse is led to deal in vague surmises, and erroneous inferences: prejudicial to the character of Lord Baltimore, and subversive of facts, not only never before disputed, but adduced by most credible historians to sustain his high character. According to the "Discourse," he was a speculator in grants of new settlements, for ambitious purposes and pecuniary gain alone; he was indifferent about religion, a dissembler, and, withal, was a Catholic all his life.* These are all legitimate conclusions from the author's statements, put forth to sustain his assertion that the establishment of the Maryland colony did not owe its "*conception*" to religious persecution, or to the "*desire*" to promote any "particular worship."

Now we think that a fair mode of understanding what were the conceptions and desires of Calvert, is to compare them with the *acts*, which were manifestly intended as their development and fulfilment. If this be not the "philosophy of history," it is at least fair dealing, and that quintessence of wisdom called common sense. If the author had respected such evidences, he would not have doubted that, from the period of Calvert's conversion, his mind was pregnant with the cherished idea of shielding from persecution his numerous family, and his fellow Catholics, and securing them an asylum, where they might serve God in peace, in the exercise of "their particular worship." And yet, as if to shut out such a presumption, the author tells us that the charter, drawn up and carried into execution in the "spirit of the broadest and most liberal toleration towards at least all Christian sects,"† did not indicate "a *special* desire to provide an asylum for persecuted Catholics." Now is it credible that Calvert, himself a Catholic, subject to persecution the moment the king should look coldly on him, could have no special desire about his own situation and that of his family? Or is a desire that those of a particular religion should profit by a liberal grant, inconsistent with a willingness that *all others* might share in its advantages? If the orator's family, in

* P. 14.

* See p. 35 of the Discourse. † Ibid. pp. 41, 42.

common with many others, were subject to odious restraints, and he had influence enough to obtain their removal, can it be imagined that, in the fulness of general philanthropy, he entertained no special desire for the welfare and relief of his own kindred and connections? To suppose this would be both unjust and unnatural. But if it was really the design of Lord Baltimore to make Maryland an asylum for Catholics, is it to be supposed he would have set forth such intention in the charter? If he had, Charles durst not at that period (1632) have affixed his royal signature to it, and no man understood better than Calvert the difficulties of the king's position. The outcry against popery often drove him to acts of persecution, that his admirers say were revolting to his nature. And we find the parliament often charging him with his too great lenity to Catholics, in reprieving priests condemned to death for the exercise of their functions. Mr. Kennedy promises (p. 14) to produce proofs to establish his assertions that the desire to escape religious persecution, and to enjoy liberty of conscience, had no influence in causing the first settlement of our state. But we look in vain for his proofs.

The question is one of history—not of imagination: and the proofs should be sought in those historians whose information and credibility are entitled to the most confidence—not in the conjectures and strained inferences of the author of the discourse. Contemporaneous publicity of the intentions of the Catholic colonists can not be expected, not merely because the press was closed against them, but because publicity would have invoked opposition from the zealots they were fleeing from. But we find satisfactory proof of the religious motives of Lord Baltimore, in the exemplification of his plan of settlement. It never has been questioned—Mr. Kennedy himself does not doubt that Cecilius Calvert did but fulfil his father's wise designs.

"He was faithful to the trust, and in the same beneficent, liberal and sagacious spirit in which the colony was first projected, he devoted himself to the ministration of its affairs."*

Was not the first movement of Cecilius Calvert to collect a band of Catholic gentlemen and Jesuit fathers, and despatch them with his brothers to his domain of Maryland? And as they touch the shores of their new home, do they not manifest the "special desire" of their hearts in the most solemn religious exercises of adoration and gratitude to God, with all the forms and ceremonies of Catholic worship? Their first impulse, and their first acts, are to erect an altar and a cross; to chant the litanies, and to celebrate mass; to name capes and islands, bays, rivers, and their new city, after saints. Showing how, above all things, they appreciated their newly acquired liberty of conscience, and luxuriated in the enjoyment of freedom of Catholic worship. These were the *first* proceedings under the charter framed by Sir Geo. Calvert, and carried into execution according to his plans and instructions; and they constitute such illustrative proofs of his *desire*, and such evident manifestations of his original *conception*—as well as of the motives and intentions of the first actual settlers, as can not be refuted by mere fanciful speculations, and their inferences, designed to misrepresent his motives, and tarnish his fame. In the words of the first orator of the society:

"This father of the province put to his edicts the seal of his noble heart as well as the sanction of his titles; and with this charter gave to Maryland the injunctions of his policy which has crowned her with the purest distinctions of history. I speak of what George Calvert effectively did, though he did not live to accomplish personally all that he thus liberally devised."†

The acts of the colonists were, indeed, the development of his generous design, and the expression of the sentiments of hearts responding joyfully to the wisdom

* Mr. Kennedy's Discourse, pp. 43 and 44.
† First Discourse before the Maryland Historical Society, by C. F. Mayer, p. 20.

of his original conception. Yet, in the face of facts like these, Mr. Kennedy declares, p. 24:

"There is no evidence that his ardor in these undertakings was stimulated by any motive having reference to particular religious opinions."

But he who will survey the history of the period will arrive at a different conclusion. Was it possible that a *Catholic* in the reign of James I, or Charles I, should not be stimulated, in obtaining a colonial grant, by motives "having reference to particular religious opinions?" In the midst of civil and political disabilities of all kinds, of fines and confiscations that brought many wealthy families to poverty; subjected to invasion of their most sacred domestic privacy by ruffian "pursuivants;" witnessing the banishments and hangings of their priests;—when such was the daily doom of men of Calvert's creed, is there no evidence that his ardor in the undertaking was stimulated by motives having reference to particular religious opinions? Yet, Mr. Kennedy tells us, "we are on the contrary *bound* to presume that his purpose was in part the advancement of his own reputation, the increase of the wealth of his family," &c. p. 24.

Where history is explicit, we should not indulge the imagination in conjecture. Of what use are records if "history, the registry of probation, the chart of a nation's path, be suppressed and denounced as a record of questionable doings or pedantic minutiæ?"*

We will refer to some of the writers on Maryland's history, to show how far their testimony coincides with the negation embraced in Mr. Kennedy's first proposition.

Our first authority, Beverly, will prove that in 1628, six years before the settlement of Maryland, its founder visited Virginia in search of an asylum for religious liberty. He says:

"Calvert (Lord Baltimore), a Roman Catholic, thought *for the more quiet exercise of his religion to retire with his family* into that new world. *For this purpose* he went to Virginia to try how he liked the place; but the people there looked upon him with an evil eye on account of his religion, *for which alone he sought this retreat;* and by their ill treatment discouraged him from settling in that country."*

Wynne says:

"His Lordship (Sir George Calvert) was a Catholic, and *had formed his design of making this settlement, in order to enjoy a liberty of conscience,* which, though the government of England was by no means disposed to deny him; yet the rigor of the laws threatened in a great measure to deprive him of—the severity of which it was not in the power of the court to relax."†

On this point Douglass says:

"Upon a new royal regulation in Virginia, several families went over from England to settle there; amongst these was Lord Baltimore, a rigid Roman Catholic; *for the advantage of a more free exercise of his religion, he retired thither;* but being ill used,"‡ &c.

The article "Maryland" in the Modern Universal History§ has the following account of the motives and objects of our colonists:

"The Lord Baltimore, who was of the Roman Catholic religion, and *had obtained the grant to be an asylum to himself and those of his persuasion from the persecutions of the times,* appointed his brother, Lionel (Leonard) Calvert, governor of his new colony, and joined in commission with him Jeremy Hawley and Thomas Cornwallis, Esqrs. The first plantation, consisting of about two hundred colonists, were sent thither in 1633, chiefly, if not wholly, Roman Catholics, many of them gentlemen of fortune; and, like the Protestants of New England, *their settlement was founded upon a strong desire for the unmolested practice of their own religion.*"

* Mr. Mayer's Discourse, p. 28.

* History of Virginia, by a native and inhabitant of the place. R. B. Gent. 2d edition. London: 1722. P. 46.

† Wynne's History of America.

‡ Douglass's Summary, Vol. 2, p. 355. London: 1760.

§ Vol. 36, p. 107 and 108. London: 1780.

In addition to the testimony of the historians quoted, showing that Lord Baltimore was influenced by religious motives in founding Maryland as an asylum for his Catholic brethren, we have public documents which prove that these motives were admitted in Maryland.

About the year 1751 the policy of requiring Catholics to pay taxes on their lands, double the amount exacted from the Protestant inhabitants, was first introduced. On this occasion, among other efforts to protect themselves from this unreasonable and unjust imposition, they addressed a petition to the governor, which contains the following passages:

"Many Roman Catholic gentlemen of good and ancient families in the kingdoms of England and Ireland, and many others of lesser note, to *avoid the penal laws* in force in their native countries, and other vexations, to which they were liable at home, quitted their countries, their friends and relations, and every thing dear to them, to enjoy these privileges, that freedom, liberty, and equality in every thing here, especially a full liberty of conscience, and *to that end only* transported themselves into this province."

And in another place, in the same petition, they say:

"For the province being granted to a Roman Catholic, the act concerning religion having passed, &c., the Roman Catholics looked upon Maryland as *an asylum and place of rest for themselves and their posterity.*"*

At a later date, 1758, the upper house of assembly refused to require the double tax from Catholics, and among other reasons gave the following: "The first settlement of this province was made by the Roman Catholics, who had been driven from their native country by the severity of its laws, and an act for an unlimited toleration of all Christians passed in the year 1640, after they have been *promised and allowed an asylum here,*"† &c. The lower house, in reply, says: "As we have never discovered any thing in history or otherwise that will justify or even countenance your assertion that the papists were promised and allowed an asylum here, we should be glad to have it explained to us,"* &c.

This explanation is furnished very amply in the rejoinder of the upper house: the following are some portions of it: "You have been pleased to remark upon this passage of our message, that you have not been able to discover any thing in history or otherwise, to justify or countenance our assertion that the papists were promised and allowed an asylum here. It may be so, but it is not our fault, that you have not, and, to be plain with you, we should have been restrained from telling you what you have been pleased to acknowledge, by the apprehension of its giving offence. However, as you have desired to have this matter explained, and we flatter ourselves it may have some effect, we shall undertake to do it in as full a manner as the shortness of the time will admit." After quoting some introductory passages of the charter, the explanation proceeds: "After the charter was thus granted to Lord Baltimore, who was then a Roman Catholic, his lordship emitted his proclamations to encourage the settlement of his province, promising therein, among other things, liberty of conscience, and an equal exercise of religion to every denomination of Christians who would transport themselves and reside in his province, and that he would procure a law to be passed for that purpose afterwards. The first or second assembly that met after the colonists arrived here, some time in the year 1638, a perpetual law passed in pursuance of his lordship's promise, and indeed such a law was easily obtained from those who were the first settlers. This act was confirmed in 1640, and again in 1650. By this act it was enacted, 'that whatsoever person or persons should, upon any occasion of offence or otherwise, in a reproach-

* Petition to Gov. Sharp.

† Votes and Proceedings of L. House, March term, 1758, p. 29.

* Ibid. p. 52.

ful manner, or any way declare, call or denominate any person or persons, inhabiting or residing, trading or commercing within the province, an heretic, &c. &c., papist,' &c. &c.

"The grant to Lord Baltimore, who was a papist, his lordship's promises and declarations, the confirmations of them by acts of assembly, and the oaths we have recited, we hope will amply justify our assertion, that the Roman Catholics were promised and allowed an asylum here.

"As you have been pleased to say that you have not discovered any thing in history or otherwise to countenance our assertion, we shall mention some passages from books for your satisfaction, though we must observe to you that writers may be mistaken or misrepresent, but the evidence we have produced can't mislead. Mr. Bowen, speaking of Maryland, says: 'The first colony sent to Maryland was in the year 1633, and consisted of two hundred people. The chief of these adventurers were gentlemen of good families and Roman Catholics; for persons of that religion, being made uneasy as well as Protestant Dissenters, they transported themselves to this province, hoping to enjoy there the liberty of their consciences, under a proprietary of their own profession, as the then Lord Baltimore was.'"

The same paper contains extracts from various other historians to the same purpose, and concludes this branch of the subject with remarking: "Many other passages from books to the like effect might be cited, but we presume they would be unnecessary."*

With such evidence as the early writers on Maryland furnish, sustained by the testimony of a Protestant legislature of 1758,—for no Catholic was then eligible as a member, or even entitled to vote for members of the legislature,—it is difficult to account for Mr. Kennedy's doubts.

But while the orator denies that Calvert was influenced by religious motives in his attempts at colonization, he attributes these to a spirit of commercial speculation: his proofs of which are of an extraordinary character. He shows that Calvert had been a member of the Virginia Company from 1609 to 1620; had procured a charter for a portion of Newfoundland, and resided there some few years; yet, during the whole period that Calvert was interested in the colonization of Virginia, he could not have derived the least return for his investment: as the Virginia Company was, so far as the patentees were concerned, an utter failure, and Calvert had even been denied permission to reside there, unless he would renounce his faith. He did not go to Newfoundland until the reign of Charles I, of course after he had become a Catholic. Having built a fine house there for his family, he expended one hundred and twenty-five thousand dollars in "advancing the plantation," fitted out two ships at his own expense, defended his country's possessions against a hostile attack, and defeated the enemy;* and after this great outlay from his private fortune, he abandoned Newfoundland. Now if his object in colonizing had been the enriching of his family, and this the motive of his "passion for charters," who will say that the continued disappointments of twenty years would not have been sufficient to have given the spirit for speculation, with which his new biographer has endued him, its everlasting quietus? This is a trait of character that no former biographer has ever assigned to Calvert. On the contrary, he is described "as a man of great good sense, not obstinate in his opinions, taking as much pleasure in hearing the sentiments of others as in delivering his own."† And, as if to leave no room to suspect him of selfish motives, or of being a mere speculator, Fuller, his contemporary, remarks: "Indeed *his public spirit* consulted not *his private profit*, but the en-

* Votes and Proceedings of the L. House Assembly of the Province of Maryland, pp. 65—67.

* Discourse, pp. 18 and 19.

† Belknap, vol. ii, p. 367, who quotes Collier and Kippis.

largement of Christianity and the king's dominions," and Mr. Kennedy has quoted this passage from Fuller!* Would not a more just inference from Calvert's character and history have been, that none but more lofty motives could have induced his last attempt, in which his son expended two hundred thousand dollars in the first two years of the settlement of Maryland? If ambition or wealth had been his object, in his previous engagement in colonization, both had been signally disappointed. The orator's inference that Calvert's name being among the members of the Virginia Company is an evidence of his passion for charters and speculation, is not justified by facts. The list† numbers among the members of the corporation the names of the archbishop of Canterbury, the bishops of Bath and Wells, of Lincoln, of Worcester, the earls of Bedford, Devonshire, Salisbury, Northampton, &c. &c., the countess of Shrewsbury, Lady Conway, Lady Gray, &c. &c. Were these all speculators? Or may we not rather suppose that patriotic views for the enlargement of the king's dominions, and for the aggrandizement of their native country, influenced some, while a laudable desire to diffuse the light of the Gospel among the "salvages," led others to encourage the then popular scheme of American plantations? That the latter motive is not a mere conjecture, appears from the following passage in Oldmixon's History of Virginia, chap. v. "When the nobility, gentry, merchants and others, first got a grant of this country, and resolved to make a settlement upon it, they received large contributions to carry it on from several devout persons who were for propagating the Gospel among the Indians, building schools, churches, and settling ministers for their conversion and instruction."‡

If the orator has been unable to establish his first proposition by evidence, his failure to prove that Calvert was not a convert to the Catholic faith is still more signal. We will give his own words in stating this, which we regard as his second proposition:

"Upon this question of the supposed conversion of Calvert, there seems to be room for great doubt. I do not believe in it at all. I think there is proof extant to show that he had always been attached to the church of Rome, or, at least from an early period of his life."*

The process of reasoning, by which he endeavors to prove his negative, is very remarkable. He has employed more industry in the attempt to subvert this simple historical fact than on any portion of his discourse. Detached scraps of history, questionable dates, the sneers of political and religious opponents, are all marshalled by Mr. K. to assist his hypothesis, without allowing to the affirmative of the question the least support from the clear and indisputable records of the time. And while he infers proofs to sustain his conjecture from the sentiments and character of the king, he entirely omits these from the whole spirit of contemporaneous history, which go to establish the fact he disputes. And yet, with remarkable complacency in his exertions, he asserts

"That Sir George Calvert was, if not actually nursed in the faith of Rome, no convert to that faith in his period of manhood: that if he ever was a Protestant, there is no record of it within our knowledge."†

Before we proceed to analyze the various arguments of Mr. Kennedy, we will quote the passage from Fuller, the contradiction of which employs so large a portion of the discourse. Mr. K. gives it in these words:

"He freely confessed himself to the king that he was then become a Roman Catholic, so that he must be wanting in his trust, or violate his conscience in discharging his office."‡

Mr. K. remarks that "the chief authority for his conversion is Fuller." We ask

* Mr. Kennedy's Discourse, p. 18.

† In Captain Jno. Smith's History, v. ii, p. 45, &c. Richmond edition.

‡ Brit. Empire in America, vol. i.

* Discourse, p. 30. † Ibid. p. 74. ‡ Ibid. p. 17.

could there be better? He is an author of great respectability, and was, withal, so decidedly opposed to the Catholic religion, that he would not have mentioned so remarkable an occurrence had there been the least doubt of it; nor would he have omitted to state Calvert's hypocrisy or dissimulation, had he been a concealed Catholic. Mr. K. admits that "*Fuller was his contemporary;*"* he had then the best means of ascertaining the truth of what he asserts in his history. But Mr. K. discredits Fuller's story of Calvert's being a convert, because he "can not perceive" with him "that there was any special reason connected with Calvert's official relation to James which rendered it a point of conscience that he should give up his office."† But it must be observed that Fuller does not give his speculative opinions, or perceptions of causes or motives; but he states with confidence, as facts, the resignation by Sir George Calvert of his office, the reason which he assigned to his sovereign, namely, his conversion to the Catholic faith; and he describes the remarkable effect produced upon the king's mind by that confession, and the consequences which resulted to Calvert from his ingenuous proceeding. There is no surmise or conjecture by Fuller, but a positive assertion of facts which occurred within his own time; and the narration of which was necessary to the fidelity of a biography which he was then writing, because the incidents were not only striking in their character and connection, but also influential in a high degree upon the future history of the subject of his memoir and the fate of his family. Turning aside, in a very unlawyerlike way, from the *positive* testimony of Fuller, a veracious witness, the orator has preferred to substitute *circumstantial* evidence to prove the negative. With what success we shall see.

Wood's silence as to the circumstance of Calvert's conversion is relied on by the orator as evidence of the inaccuracy of Fuller. Yet, if Wood be fairly examined, his evidence will be found to corroborate, rather than impugn Fuller's statement. He says that Calvert, AT THE TIME of being created Lord Baltimore, was "then a Roman Catholic, or at least very much addicted to their religion."* Now, the time when he was created Lord Baltimore was 16th Feb., 1624—the date precisely assigned by Fuller for his conversion. The inference, therefore, is that he was not always so regarded, else why specify a particular time as that at which he was so affected? Thus, too, with Mr. K's other witness, Abbott, archbishop of Canterbury, who says "that *since* Charles' return from Spain, (which was in the last of 1623,) Mr. Secretary Calvert apparently did turn papist, which he now professeth." Does this contradict Fuller? To be sure, he adds "this is the third time he has been to blame in that way." This is a sneering inuendo to which converts are accustomed—but very different from saying that this was the third time he had become a Catholic; and certainly does not avail our orator, who contends that he was always a Catholic, or certainly from 1619, whereas, Abbott describes Calvert's conversion in 1624 as a fresh event, and thus corroborates Fuller. But while Mr. Kennedy attaches importance to the sneering remark—the mere conjecture of Abbott after Calvert's avowed conversion—because it suits his purpose, he discredits and rejects the remainder of Abbott's statement as the unsubstantial testimony of an enemy. Now, if we take the truthful account of Fuller, that from 1619 to 1624 Calvert was secretary of state, at which latter period he resigned and freely confessed "to the king that he *was then become* a Roman Catholic,"† has this positive historical record been contradicted by any witness, or any incident which the orator has cited? It has not. Additional evidence that Calvert was not a Catholic in 1620 is found in the period of his parliamentary career.

* Discourse, p. 16. † Ibid. p. 32.

* Wood, vol. i, p. 565. † Discourse, p. 17.

He was elected a member of the house of commons in 1620. At that period, even if as a Catholic he had been eligible to a seat in the house of commons, it is not to be imagined that an Oxford or a York constituency would have elected a member of that persuasion as their representative, or that in the then state of popular excitement, they would have chosen a member who was suspected of being "popishly affected." Now his parliamentary services terminated *in* 1624—the time of his conversion as stated—and, thus, this fact may be invoked as well as the testimony of Wood and Abbott, to confirm the veracity of Fuller. It should have been enough for an impartial mind, that Calvert's conversion was stated positively by a disinterested and credible contemporary—who, besides, could have had no motive for fabricating such a story—to save his fame from the imputation cast upon him by the discourse—of being a pliant trifler with his faith.

But while the orator infers a doubt of Fuller's accuracy from Wood's silence on the subject of the conversion, he does not find a confirmation of Fuller in the various authors who have repeated the statement: and there are many. Among these may be mentioned, as of the first authority, Kippis, in the Biographia Britanica, vol. iii, p. 152.

The record of such an incident in that elaborate work, in which the dates of Calvert's life, &c., are examined with scrupulous care, and the various authors who have mentioned him are collated and quoted with critical precision, gives to the confirmation of this fact high authority. Our own Belknap, who has produced the most complete biography of Calvert, repeats it; and, besides, we have the fact recorded by Dodd in the following words:

"An. 1624, Feb. 16th, he was created Lord Baltimore of Longford, in Ireland, by the name of Sir Geo. Calvert, of Danbywisk, &c., *and about that time* became a member of the Catholic church."*

* The Church History of England, vol. iii, folio, p. 46. Brussels: 1742.

Besides the authorities Cambden and Wood, Dodd refers to MS. for the life of Calvert.

One of the most extraordinary of the attacks on Fuller's veracity is that founded on the *supposed* date of Calvert's charter for Avalon. The zeal with which the orator elaborates his argument upon this topic, requires more time to analyze his quotations and exhibit how utterly fallacious are his conclusions, than under other circumstances would be bestowed on them. Mr. Kennedy says:

"Now Calvert settled his colony in Newfoundland in 1621; and Oldmixon and others, amongst whom I find our own historian Bozman,* have ascribed this settlement to his wish to provide an asylum for persecuted Catholics. Although I can not discover any warrant for this statement, either in the history of the times or in what is known of Calvert, yet the assertion of it by Oldmixon and those who have preceded or followed him, demonstrates that they did not credit the story of the conversion as given by Fuller: for the author of the Worthies of England dates the conversion three years later than the settlement of Avalon, and affirms it to be the motive to Calvert's resignation of a high trust, which, he informs us, the secretary supposed he could not conscientiously hold as a Catholic."†

Now the inference that Oldmixon discredits Fuller is entirely unauthorized, as are, also, the deductions from the date of *the settlement*, 1621, as being the date of *the charter*.

The orator was not aware that Calvert had made a settlement in Newfoundland *before* he obtained a charter for Avalon, and therefore he has himself fallen into the error of confounding the settlement of Capt. Wynne in 1621, when Sir George Calvert was secretary of state and a Protestant, with the endeavor to find an asylum for the practice of his religion in 1626, and later, when he had become a Catholic. But while the orator quotes Bozman's authority, he has no right to assume 1621 as the date of the charter for Avalon. Oldmixon does not profess to

* History of Maryland, vol. i, p. 232.
† Discourse, pp. 30 and 31.

give the date of the charter. But Bozman furnishes the highest testimony that has been produced to show that the date of the charter for Avalon was 1623. This statement is made in the Bibliotheca Americana, published in London, 1789, and its authority is the catalogue of MSS. relative to America preserved in the British museum. Bozman adds: "In corroboration of this state of the charter of Avalon may be cited the Geographical Grammar of Patrick Gordon, published in 1719, a work which has been always deservedly held in high estimation by literary men. He therein, under the head of Newfoundland, thus speaks of its government: 'In the year 1623, Sir George Calvert, principal secretary of state, having obtained a patent for a part of Newfoundland, erected the same into a province (called Avalon), and therein settled a plantation, which after him was enjoyed by his son Cecilius Lord Baltimore.'"*

Oldmixon does not contradict Fuller, but in fact confirms his statement. For after stating that Sir George Calvert was not in Newfoundland until after 1624, he adds: "His zeal for the Romish religion would have been no lett to his fortune in King James' opinion, if he could have borne the restraint of a disguised Protestant, which he could not, and so resolved to withdraw to Newfoundland *for conscience' sake*, as the Puritans were at the same time for the same cause withdrawing to New England."†

Now the truth is Sir George Calvert was interested in Newfoundland several years before he obtained a grant of Avalon from the king. This interest was assigned to him by Sir William Vaughan, who had an interest in a patent for the south part of Newfoundland as early as 1617, and resided there many years. Vaughan and Calvert had been students together at Oxford. Being disappointed in his expectations of his colony, Vaughan assigned a portion of his grant to Viscount Falkland and to Lord Baltimore, the latter of whom, Vaughan remarks, "to his immortal praise, *has lived there these two last years with his lady and children.*"* It was therefore in furtherance of this interest that Sir George sent Capt. Wynne thither in 1621, and, as an evidence that this settlement preceded the date of the charter for Avalon, we find the following passage in Capt. Wynne's letter written from Newfoundland to Sir George Calvert, dated 17th of August, 1622: "If a plantation be there this next spring settled, and your honor will let *me be furnished with charters*, and give me leave to work, I make no doubt but to give your honor and the rest of the undertakers such content that you shall have good encouragement to proceed."†

Having shown the fallacy of the orator's statement that *Avalon* was *chartered* and settled in 1621, all his arguments founded upon that hypothesis asserting that Calvert was a Catholic in 1619, and imputing to him oaths which, as such, he could not conscientiously take, must fall. The orator's whole assumption in regard to the date of the Avalon charter and settlement is unauthorized, and the authorities he refers to contradict his statements.

It is surprising that the orator should find any support to his hypothesis in the remark of Arthur Wilson (p. 38) about those lords who were *popishly affected* in 1620. The term was used by one political party to designate the other party, who were endeavoring to bring about a marriage between the prince of Wales and the infanta of Spain, and, although James himself was the head of the party, those who were furthering his views were denounced as "popishly affected," precisely as the most violent members of our two former political parties characterized the democrats as under French influence, and the

* Hist. Maryland, vol. i, note, pp. 240 and 241.
† British Empire in America, vol. i, p. 9.

* From Vaughan's book, the Newlander's Cure, printed in London, 1630, quoted in N. A. Review, vol. iv, p. 291, &c. See also Vaughan's life in Wood's Athenæ Oxonienses, vol. ii, p. 528, and notices of him and his various writings composed in Newfoundland, in Oldmixon, vol. i, pp. 7, 8.
† Oldmixon, vol. i, p. 10.

federalists as British tories. The extravagant appellations of political partisans can never be depended on as just designations of the principles of their opponents. It is most probable that when Wilson spoke of "the earls of Worcester and Arundel, and the Lord Digby and Sir George Calvert and Sir Richard Weston, and others popishly affected,"* he only meant to denote their coöperation with Catholics in their efforts for the Spanish match, to which the Catholics looked for relief from the penal laws, and with good reason, as it is matter of history that James had agreed to a secret treaty with Spain, binding himself to alleviate the sufferings of the persecuted Catholics.

At the close of his attempts to prove the insincerity of Calvert in his religious profession, Mr. Kennedy remarks, with complacent confidence, that "the evidence thus accumulated upon this point leaves us no room to doubt the inaccuracy of Fuller's statement."† We would repeat that our orator has used singular industry in collecting disjointed passages of history, and has strained inferences from them to sustain his novel proposition, but has overlooked or omitted many facts and consequences that would seem to belong to the subject, but are opposed to his hypothesis.

We do not impute to him any "sectarian spirit," nor question that he is "incapable of being enlisted as a partisan in such a cause."‡ That is his affair, not ours. We do not attribute motives, we are discussing facts; to ascertain the truth of a history which Mr. Kennedy has impeached, and whether the estimate to be made, hereafter, of our orator, be more or less favorable to his talents for history, or his spirit of justice, will be of as little consequence in the decision of this question of Maryland history, as is the declaration of his "respect for all who honestly profess the faith of either of the *churches* to which this *controversy* refers."§ As the orator refers to churches, we will add; there is one expression in the Discourse which, from the use that has sometimes been made of it, is regarded as disrespectful, and therefore does not obtain in polite conversation as a designation of the Catholic church. We allude to the term "Romish,"* which, though quite innocent in itself, from having figured as a nickname or term of reproach in the English and colonial laws for restraining and punishing Roman Catholics, grates upon the Catholic ear, just as the political designation of tory, which is not reproachful in England, would be disagreeable to an American, although only used to characterize him as the supporter of the administration of his own country. Mr. Kennedy is too well bred to use, in conversation with the Chief Justice of the United States, or the Archbishop of Baltimore, the appellative of the Romish church, if he wished to speak to them of the ecclesiastical society of which they are members; and hence he should have selected another term, when speaking to his polished auditory, of a church whose name is so well known.

Although "Fuller's veracity" has been sufficiently vindicated, we find a note on the 18th page of the "Discourse" which we think is conclusive against all Mr. Kennedy's surmises that Sir George Calvert was a Catholic all his life. It is from the London Magazine, June, 1768, and relates to the grant of lands in Ireland from King James to Sir George Calvert. As our orator has not favored us with any illustration of the important incidents referred to in the extract, we must supply the omission by some explanatory history, the relevancy of which will, we hope, excuse its length.

The unsuccessful result of the various military attempts to conquer the native Irish, and exterminate their religion, by the fierce penal enactments of Elizabeth's reign, satisfied James I that there was some defect in the system of measures

* Discourse, p. 38. † Ibid. p. 39.
‡ Ibid. p. 34. § Ibid. p. 34.

* Discourse, p. 28.

pursued. More vigorous military operations were impracticable in the state in which the national finances then were. To pass laws for rooting out the faith of the Irish of greater severity than those of Elizabeth, was impossible. The great aim of the latter had been to substitute a Protestant population for that of the Irish Catholics—English, if possible, but Protestant at all events. To carry into effect this rational scheme for the conversion of the Irish, they were often goaded to desperation, that the English might confiscate their estates. "If once declared rebels, their lands and property lay at the mercy of their pursuers."* Large domains were thus confiscated, and parcelled out among the dependants of the court.† The outraged owners of the soil were often troublesome neighbors to the English colonists, who were too few in number to keep them in subjection. Hence the enforcement of the measures of rapine and spoliation was attended, not only with trouble and danger to the English settlers, but with annoyance to the imperial government, and withal, the pious work of converting the intractable natives made but slow progress. James, whose opinion of his own ability as a legislator, was equal to his estimate of his theological eminence, determined to take the matter in hand, and to *civilize* and *convert* the Irish at once. It is matter of history that James regarded the "plantation of Ireland" as one of the *chefs d'œuvres* of his reign. He commenced on a large scale without delay, and made it a convenient mode of rewarding his needy friends. "Six entire counties in the province of Ulster were confiscated, and nearly five in another."‡ By the orders and conditions of the plantation of Ulster,§ the spoils were divided, first, "to English and Scotch, who are to plant their proportions with English and Scottish tenants;" secondly, to "servitors," and thirdly, to natives, who are to be freeholders. Those of the first class were designated as "undertakers." They and the servitors were bound under penalty never to sell to the *mere Irish*, nor to *Roman Catholics* of any nation; for the disposal to persons who did not take the oath of supremacy, and '*conform themselves in religion* according to his majesty's laws,' was rigorously prohibited and punished."* The undertakers were bound to take the oath, "and," says article 7th of the conditions, "to that end *a proviso shall be inserted in their letters patent.*" Art. 8. "The servitors shall take the oath of supremacy, and be conformable in religion as the former undertakers."†

The king's system of plantation worked so successfully in Ulster, for the objects he had in view, that he extended it to other counties; among which was *Longford*, and in 1614 he appointed a special commission to take proper steps for "reducing and settling them."‡ In the fourteenth year of King James was established in Ireland the court of wards, the ostensible object of which "was to educate the heirs of the great *Catholic* families in the *Protestant* religion, and thus prevent the growth of popery."§

Having now seen what were the designs of King James in his favorite measure, the plantation of Ireland, we are prepared for the first part of Mr. Kennedy's note, which is in the following words:

"The king being given to understand that divers towns and lands within the late *plantation of Longford*, amounting to about two thousand three hundred and four acres, remained in his hands undisposed of, he conferred the same on Sir George Calvert, his principal secretary, as a person worthy of his royal bounty, and *one that would plant and build the same according to his late instructions for the better furtherance and strengthening of the said plantation.* The grant was accordingly made 18th February, 1621."‖

We ask, was Sir George Calvert a Catholic at the time of receiving this grant, made upon the conditions expressed in it, as appears by the above extract of Mr.

* Leland, ii, 347.
† Carey's Vindiciæ Hibernicæ, 105, 106, &c.
‡ Vind. Hib. 174. § Ibid. 179.

* Ibid. 179. † Ibid. ‡ Ibid. 191. § Ibid. 214.
‖ Mr. Kennedy's Discourse, p. 18.

Kennedy? To believe so is to suppose him capable of an act worthy of the utmost infamy!

According to King James' "*instructions*" he would have been bound not only to take "the oath of supremacy, and to conform in religion," "*to which end a proviso was inserted in the letters patent,*"—but also to use active measures to extirpate the Catholic religion from the territory contained within his grant. Could he then have been a Catholic in 1621? We are willing to abide by Mr. Kennedy's answer to the question.

We shall now be able to understand the remainder of Mr. Kennedy's note, which is as follows:

"This patent Calvert 'surrendered to the king 12th February, 1624 (1625 according to the present calendar,) and had a re-grant thereof in fee-simple, dated at Westminster, 11th March following, to hold as the castle of Dublin in free and common soccage, by fealty only for all other rents, with the erection of the premises in the barony of Longford into the manor of Baltimore, and those in the barony of Rathlyne into the manor of Ulford, with the usual privilege of courts, parks, free warren,' &c.—*London Magazine, June*, 1768."*

We are not informed of a reason for this "*surrender*" of the patent, but we are told it was made February, 1624; and this was the time when he resigned his office as secretary of state, and "freely confessed himself to the king that he was *then* become a Roman Catholic, so that he must be wanting to his trust or violate his conscience in discharging his office."† Neither could he, as a Catholic, carry on the "plantation" agreeably to the conditions of his patent, and consequently his title would have been *void in law*. Yet the king had bestowed this grant upon him three years before, of his "royal bounty," in consideration of faithful services, which had been increased since that time, by fidelity to his sovereign in promoting his favorite project, "the Spanish match." For this he had borne from the opposition the reproach of being a "Hispaniolized papist." His claims upon the monarch's gratitude were greater than when he had first received the grant; and it would have been an act of meanness in the king to permit his faithful minister to lose the benefit of his former bounty—which probably had thus far been a cause of expenditure rather than a source of profit. His surrender placed it again in the hands of the king, because he could not hold it by the former conditions; but there was no impediment to his receiving an unconditional title in fee simple; and, accordingly, we find that within a month afterwards the king gave him a re-grant of the same land, in fee simple, to hold in free and common soccage *by fealty only* for all other rents.

Weak, inconsistent, and contemptible as James was in his general character, there were moments when he exhibited an amiable tenderness, and occasions on which he showed that he prized merit, and was not destitute of gratitude. We are not left to conjecture the effect made upon the king by Calvert's avowal of his conversion to the ancient church—for Fuller says his frankness "so highly affected the king that he continued him privy counsellor all his reign, and created him Lord Baltimore."

But there is another objection to our orator's assertion "that if Calvert ever was a Protestant, there is no record of it within our knowledge."* Of all the enemies in church or state which the Catholics had to contend against, Robert Cecil, earl of Salisbury, was the most subtle, implacable, and powerful. He had displayed the bitterest hostility to Catholics during the previous reign of Queen Elizabeth, whose prime minister he was. And the nine years in which he was prime minister to James were signalized by his uncompromising opposition. The exercise of his eminent abilities, assisted by his great experience in the policy of Elizabeth, contributed more than the efforts

* Discourse, p. 18. † Ibid. p. 17.

* P. 34.

of any other individual in England, to the devices by which the professors of the ancient faith were spoiled of their possessions; and, with their clergy, consigned to prison, to the rack, and to the gibbet. Yet this keen and able minister, the Talleyrand of his day, who had even deceived Elizabeth herself,* was the early patron and friend of George Calvert.† Calvert was twenty-six or twenty-eight years of age when he entered into his service; he continued in his confidence several years, and was recommended by Cecil to the office of clerk of the privy council. Could Calvert have been a Catholic then? His entrance into Cecil's employ was at the period when the examinations and trials growing out of the gunpowder plot excited suspicions throughout all England. Cecil himself took part in these examinations—and is it possible that he could have been deceived so far as to have a Catholic for his confidential secretary?‡ To believe that Calvert could have deceived Cecil in the matter of religion, is to be credulous to a degree only inferior to the consummate hypocrisy which it presupposes Calvert to have been capable of.

But among the most curious of Mr. Kennedy's arguments to prove that Calvert was always a Catholic, and not a convert, is that founded upon the sentiments of King James. He says, p. 32:

"There was no great asperity in the feelings of James against such Catholics as had been bred and nurtured in that faith. Towards such he was in the habit of expressing the most tolerant opinions. But he was noted for the avowal of particular hostility against such as had been converts from the Protestant church."

Now if there was one king of England who more than all others was conspicuous for his inconsistency, and the avowal of opposite sentiments to gain his ends, that king was James I. Sully, who, as Lord Rosny, had been embassador at the English court, pronounced him the *wisest fool* in Europe—and the character was a compliment. McCauley says of him:

"The follies of the man increased the contempt which was produced by the feeble policy of the sovereign. The most ridiculous weaknesses seemed to meet in the wretched Solomon of Whitehall: pedantry, buffoonery, garrulity, low curiosity, the most contemptible personal cowardice. Nature and education had done their best to produce a finished specimen of all that a king ought not to be. The sovereign whom James most resembled was, we think, Claudius Cæsar. Both had the same feeble, vacillating temper, the same childishness, the same coarseness, the same poltroonery."*

Before James came to the throne of England, he endeavored to enlist the Catholics in his favor, by holding out hopes of relief from the cruel laws then in force against them.† Their attachment to the house of Stuart, and their sufferings in the cause of his unfortunate mother, gave them claims upon his gratitude. He had bound himself to grant them indulgence, by his promises to their envoys and the foreign Catholic princes. He invited some of them to court, and promised to protect them from the penalties of recusancy. And yet, in 1604, on 22d February, he required all priests to depart the realm before 19th March, under pain of having the sanguinary laws of Elizabeth executed against them without mercy; and many of them were shipped off. In that year and the next, the two first of his reign, one priest and five laymen were executed for their religion.‡ To the dismay of those Catholics who had relied upon assurances of the king's lenity, the legal fine for recusancy of £20 per lunar month was again demanded, and not only for the time to come, but for *the whole period of the suspension.* This atrocious regulation, by crowding thirteen payments

* Biograph. Brit. Art. Cecil.
† Discourse, p. 16.
‡ Cecil is described by Sir Fulk Grevill in his "Five Years of King James" as "the only supporter of the Protestant faction, disclosure of treasons, and the only Mercury of our time."

* Nugent's Memorials of Hampden.
† Mr. Kennedy's quotation from Bishop Burnet, Discourse, p. 34 and 35, is evidence of this fact.
‡ Challenor, vol. ii, pp. 12 and 13.

into one, reduced many families to beggary. To satisfy the wants of his needy countrymen, whose importunities for money were incessant, he transferred to them his claims on the more opulent recusants, with authority to proceed against them by law in his name, unless the sufferers should submit to compound by granting an annuity for life, or the immediate payment of a large sum.* Yet this is the king who, according to the "Discourse," "was in the habit of expressing the most tolerant opinions towards Catholics who had been bred and nurtured in that faith."

But, when James began to desire the union between his son and the infanta of Spain, it became necessary to relax the severity of the laws against Catholics, to obtain a favorable answer from the Spanish king. The prisons had been crowded with priests; yet, from 1607 to 1618, *only sixteen* had been put to death for the exercise of their functions.† From the fines of lay Catholics for recusancy, the king derived a *net* income of £36,000, or $180,000 *per annum*.‡ "When the king," says Dr. Lingard, "in 1616, preparatory to the Spanish match, granted liberty to the Catholics confined under the penal laws, four thousand prisoners obtained their discharge.§ In 1620 he promised the king of Spain relaxation of the laws in favor of Catholics; in July, 1622, to induce the pope to be favorable to the match, this relaxation took place; and in 1623 James bound himself by the word of a king that the English Catholics should no longer suffer restraint, provided they confined the exercise of their worship to private houses.‖

The match was broken off in the last days of 1623, and when the king met the parliament in Feb., 1624, he declared that although he had connived at a less rigorous execution of the penal laws, yet to dispense with, to forbid, or alter any that concerned religion, "he had never promised or yielded—never thought it with his heart, nor spoke it with his mouth."* And yet our orator discredits a grave historian because his statement of a fact which occurred in his time, and has been unquestioned for two centuries, is inconsistent with the feelings and character of James I, as displayed towards his Catholic subjects.

"It is against all rational deduction of human conduct to believe, in the face of James' known aversion against converts to the Catholic from the Protestant faith, and his continued manifestation of kindness to Calvert, that the story told by Fuller, of Calvert's conversion, can be true."†

Rational deduction from James' conduct! Why nothing rational could be deduced from it. He was a living paradox, a practical contradiction. What his tongue was engaged in declaring, his hands were employed in contradicting. And the utmost exertion of his abilities were sometimes used to perpetrate acts of duplicity and to maintain falsehood.‡

The attempt to show that Calvert was under no necessity to resign his office, either on account of the obligations of conscience or from the dispositions and sentiments of the king, we regard as the most unfortunate of the "Discourse." Of the dispositions of the king we shall say no more. But the casuistry employed to justify Calvert in retaining office, after he had changed his religion, seems to have been held in no estimation by a man of Calvert's instinct of honor and sound moral principle. He had, as a Protestant, taken the oath as to the king's supremacy, as a condition precedent to his holding a cabinet appointment; but, according to this doctrine, if he changed his religion during his continuance in office, so as to hold that spiritual supremacy was in the

* Lingard, ix, p. 31.
† Challenor's Memoirs, vol. ii.
‡ Hardwicke Papers, i, 446.
§ Hist. Eng. vol. ix, p. 128.
‖ Lingard, ix, 163.

* Lingard ix, p. 175. Authorities stated.
† Mr. Kennedy's Discourse, p. 33.
‡ See the extract from Prynne 44, Hardwicke papers, i, 428—430 in Dr. Lingard's Hist. Eng. note, p. 175, vol. ix. Philda. edition.

successor of St. Peter, and not in the head of the state, it threw upon him no disqualification, no obligation to discover his change of sentiment; so that a man may to-day, as a condition of office, swear to support a king's supremacy, and to-morrow, when the oath becomes repugnant to his conscience, continue without blame in a station of the highest trust and confidence without revealing the change to his employer. Such conduct in a minister of state, where the church was essentially connected with the government, would exhibit a man, in the language of the orator, "remarkably calm and unobtrusive, ever compromising and politic in his religious opinions."* But Lord Baltimore appears to have been made of more sterling metal. With the sincerity of a Christian and the candor of a man of honor, he preferred laying down the honors and emoluments of his high station, telling his sovereign that "he was then become a Roman Catholic, so that he must be wanting to his trust, or violate his conscience in discharging his office." The judgment of the world for two hundred years has pronounced his eulogium, and stamped the seal of its approbation upon this honorable act. But in truth Calvert's conduct, assigning his profession of the Catholic faith to the king as his reason for withdrawing from the cabinet, is conclusive against our orator's surmise that he was a Catholic all his life. For, if he had concealed his religion so long from the king, why should he now declare it when the surrender of his post was the consequence?

Our orator is peculiarly unhappy in the witnesses he names to prove the soundness of the course he would advocate in Calvert's case. He says:

"There were several Catholic noblemen who enjoyed the confidence and friendship of James, and received high dignities from him: there were, for example, the two Howards, Lords Thomas and Henry, one the son and the other the brother of the duke of Norfolk, who were both brought into the ministry, the first being created earl of Norfolk, and made lord treasurer, the second earl of Northampton."

These specimens of Catholicity will not bear the test of history. "Lord Thomas Howard, earl of Norfolk, partly through fear, partly through desire of the king's favor, he accommodated himself to the time," and "in the royal chapel at Whitehall, on the 25th of December, 1615, he publicly received the sacrament according to the forms of the established church."* Of Lord Henry, earl of Northampton, Walpole says: "At the king's request, he abandoned popery. He had even been a competitor with Grindal for the archbishopric of York, but miscarried from the doubtfulness of his religion."† Sir Fulk Grevill says of him, that, having been brought up a papist, "by the persuasion of the king, changeth his opinion of religion in outward appearance, and to the intent to reap unto himself more honor, became a Protestant, for which cause he was created earl of Northampton."‡

Mr. Kennedy, having disposed of the personal history of Lord Baltimore very much to his satisfaction, next proceeds to demolish the claims of the Catholic proprietary and settlers of Maryland to the glory of having established religious liberty, and to crown King Charles I with that honor, and this we consider his third proposition. We will let the orator speak for himself:

"The glory of Maryland toleration, which has been so fruitful a theme of panegyric to American historians, is truly in the charter, not in the celebrated act of 1649. There is more freedom of conscience, more real toleration, an hundredfold, in this charter of a Protestant prince to a Catholic nobleman, than in that act so often recalled to our remembrance, in reference to which I propose to take some other opportunity to review its history and its supposed claims to our admiration. The glory of Maryland toleration is in the charter—not in the act of 1649."§

* Discourse, p. 27.

* Tierney's Arundel, vol. ii, p. 427.
† Noble Authors, vol. ii.
‡ The Five Years of King James.
§ Discourse, p. 42.

As this is a professional point, we will, in order not to have what the equity lawyers call a multifarious bill, defer the consideration of the act of 1649 until the orator shall have prepared those illustrations which he promises, to enable mankind to estimate its "supposed claims to our admiration"—but with this remark, that Maryland toleration was coeval with the foundation of the colony, to as great an extent as it was after the passage of that act.

Mr. Kennedy reasons hypothetically from his own peculiar construction of the charter, and we have little more than his surmises here, as in other parts of his discourse, against the recorded facts of history. With a sophistry unworthy of such a subject, he argues that because the charter "secured to all emigrants who chose to demand it the free exercise of the religion of the *church of England*,"* therefore, the glory of Maryland toleration is in the charter. But surely this is a *non sequitur*. For intolerance, at that day, mainly consisted in requiring all British subjects to conform to the religion of the church of England. It was this intolerance that incensed the Puritans in England, that subjected the Catholics and dissenters to the cruel laws against nonconformists, that drove the Brownists from their native land, and finally led the pilgrims of Massachusetts to encounter the rigors of their painful settlement. Was not that intolerance in Virginia which refused to Catholics and dissenters permission to exercise their respective religions there? But intent upon proving that the glory of toleration was in the charter of Maryland, the orator asserts that all Christians "found there a *written covenant* of security against all encroachment on their rights of conscience by the lord proprietary or his government."†

The inference from the orator's assertions would be, that this "*written covenant*" is in the charter. But we look in vain for it in that instrument. The author does not designate it. It can not be in "that proviso which prohibits any interpretation of the charter which might 'change, prejudice, or diminish' the true Christian religion, or the allegiance due to the crown,"—for he assures us that that "was *undoubtedly* intended to guard the rights of those persons attached to the *English church* who might emigrate to the province,"* and he defines allegiance as including the acknowledgment of the king's supremacy "as well in all spiritual and ecclesiastical things or causes as temporal."† If, then, Mr. Kennedy's construction of the only clause in the charter which has relation to the subject be correct, there was no stipulation or provision made for freedom of religious worship to any but the members of the church of England; and, of course, neither Catholics nor dissenters had in the charter "a written covenant of security against all encroachment on their rights of conscience."‡ We can not find in the charter a single stipulation on the subject except the above, which Mr. Kennedy has quoted from the 22d section.

As to "the patronage and advowsons of all churches, and the sole authority to license the building or founding of churches and chapels,"§ conferred upon the proprietary by the fourth section of the charter, Mr. Kennedy remarks:

"In regard to these last two subjects, I beg to observe that they apply strictly and exclusively to the church of England, the Protestant Episcopal church."‖

We are not entirely satisfied that we understand the application which the orator would make of that portion of the Maryland charter which relates to patronage and advowsons. If he means to say that the power conferred on Calvert in these respects was one that "placed him under obligations, on this point of supremacy and allegiance, which, as an honorable man, he could not have incurred if he entertained the scruples imputed to him,"¶

* Discourse, p. 41. † Ibid. p. 44.

* Ibid. p. 27 and 28. † Ibid. ‡ Ibid. p. 44.
§ Ibid. p. 25. ‖ Ibid. ¶ Ibid. p. 32.

we should think that our orator exhibits what the schoolmen would call a little rustiness in the laws regulating this species of hereditaments. For Catholics and members of every denomination had a perfect right in the reign of Charles I, by the laws of the land, to present to benefices in the established church of England. The advowsons which Catholics had in this church were first vested in the two universities in the reign of William and Mary, and it was not until the twelfth year of Queen Anne that they were *disabled* from presenting to ecclesiastical benefices. So that throughout the reigns of the Stuarts, and for more than half a century after the grant of the Maryland charter, this concession—which, according to our orator, Lord Baltimore could not accept without violating obligations to his king which were inconsistent with his duties as a Catholic—was an *existing right*, possessed by every Catholic in the British realm to whom advowsons might have descended. In his anxiety to enhance the merits of Charles I, and to depreciate the character of Lord Baltimore, our orator seems to have drawn more upon his fancy than his professional erudition, for the law relating to religious benefices. Mr. Charles Butler, the distinguished annotator of Coke upon Littleton, who may be presumed to know the law on this subject as well as most men of his profession, informs us that it was at a period long subsequent to the date of the charter for Maryland, that parliament interfered with the right of Catholics to present to religious benefices. I. W. & M. ch. 26, vested the presentations belonging to Catholics in the universities,* and "one law (12 Anne) was passed against the Catholics in her reign: it disabled them from presenting to ecclesiastical benefices, and vested the right of presenting to them in the universities. This, perhaps, is the penal law of which the Catholics have the least reason to complain, as it may be alleged that there is an evident incongruity in allowing any denomination of Christians to appoint the religious functionaries of another: yet it should not be forgotten that, as the law of England now stands, the unbaptized Quaker, and even the Jew, may present to benefices in her church."*

The author's "conclusion"† that Calvert could not have scrupled to take the oath of supremacy because he had received the rights referred to, and which were common to many lords of a domain at that period, derives as little force from the "import" of the clause of the charter which confers it, as that instrument can claim of the glory for Maryland toleration, for merely securing protection to members of the church of England, in the exercise of their religious worship.

Mr. Kennedy has failed to establish his third proposition by any better evidence than his own assertion. For the record does not bear him out, and we must attribute the honor of a policy which has challenged the admiration of mankind, to the proprietary and first settlers of Maryland, and not to the king; not to the charter. And such appears to have been Mr. Kennedy's own opinion in 1838. For, in his *Rob of the Bowl*, an admitted work of fiction, but of which the author declares "it is proper for him to say that he has aimed to perform his task with historical fidelity," he thus expressed himself in the character of historian:

"Cecilius Calvert, the founder of the province, with a liberality as wise as it was unprecedented, had erected his government upon a basis of perfect religious freedom. *He did this at a time when he might have incorporated his own faith* with the political character of the colony, and maintained it by a course of legislation which would, perhaps, even up to the present day, have rendered Maryland the chosen abode of those who now acknowledge the founder's creed. His views, however, were more expansive. It was his design to furnish in Maryland a re-

* Butler's Hist. Mem. vol. iii, p. 136.

* Butler's Hist. Memoirs, v. iii, pp. 148 & 149. London, 1822. † Discourse, pp. 31 and 32.

fuge not only to the weary and persecuted votaries of his own sect, but an asylum to all who might wish for shelter in a land where opinion should be free, and conscience undisturbed."*

In the eloquent language of the Historical Society's first orator: "The whole tenor of the early proprietary administration breathed but the element and fostering spirit of universal Christianity—of unstinted toleration within the bounds of the Christian faith. The terms of the governor's oath enjoined as early as 1636 this scrupulous charity in requiring that 'he would not by himself or another directly or indirectly trouble, molest, or discountenance, any one believing, or professing to believe in Jesus Christ for or in respect of religion, that he would make no difference of persons in conferring offices, favors, or rewards, for or in respect of religion, but merely as they should be found faithful and well deserving and endued with moral virtues and abilities; that his aim should be public unity, and that if any person or officer should molest any person professing to believe in Jesus Christ, on account of his religion, he would protect the person molested and punish the offender."†

Now whence came this oath which marks at the earliest period of our records the practical freedom of religion in Maryland? Clearly not from the charter, nor from the laws or usage of England, nor from the example of any other colony. Doubtless it was prescribed by Lord Baltimore himself. The ablest writer on our early history tells us: "Lord Baltimore *laid the foundation* of his province upon the broad basis of security to property, and of freedom in religion; establishing Christianity agreeably to the old common law, of which it is a part, without allowing preëminence to any particular sect."‡ The incident quoted by Mr. Kennedy§ from Bozman, proves that at least in 1638, and we know not how much earlier, the governor, Leonard Calvert, *had already issued* a proclamation to prohibit "unseasonable disputations in point of religion, tending to the disturbance of the public peace and quiet of the colony, and to the opening of faction in religion." And the party accused of a violation of public peace by using language offensive to Protestants is fined, and imprisoned until he shall find sureties for his good behaviour. This took place within four years after the settlement, and marks the practice of that early period to have been the same as was afterwards established by law, by the act of 1649. As early as 1637, Governor Calvert wrote a letter to Boston, inviting those of the settlers there, who were disturbed on account of their religion, to come to Maryland: assuring them not only of the liberty of free and unmolested exercise of their religion, but of perfect equality with our colonists in all civil rights.* When the Puritan ministers were forbidden to preach in Virginia, and their brethren constrained to emigrate, they were welcomed to Maryland. "Mankind then," says Chalmers, "beheld a scene new and uncommon, exhibited on colonial theatres: they saw in Massachusetts the Independents persecuting every different sect; the church retaliating on them in Virginia; the Roman Catholics of Maryland alone actuated by the generous spirit of Christianity, tolerating and protecting all."†

The act of 1649 was but the embodiment of principles which had regulated the practice of the colony from its foundation, and those principles were neither prescribed, nor hinted at, in the charter.

The historian of the government of Maryland, and the ablest expositor of its charter and laws, sustains these views. Having described the course of the government as "one which tolerated all Christian churches and established none," he says: "This system of toleration was

* Vol. i, p. 52.
† C. F. Mayer's Discourse, p. 15.
‡ Chalmer's Po. An. p. 208.
§ Discourse, p. 44.

* Winthrop's Journal.
† Political Annals, p. 219.

coeval with the colony itself, and *sprang from the liberal and sagacious views of the first proprietary.* The oath of office prescribed by him to his governors in the province, from 1636 until the enactment of the act of 1649, is in itself a text book of official duty, &c. These, *his cherished principles* of religious liberty, were *at length engrafted* by law upon the government of the province, in the year 1649. The act which gave them legal sanction is one of the proudest memorials of our colonial history."*

But while we can not find a clause in the charter to sustain Mr. Kennedy's assertion, we are able, unfortunately, to furnish historical proofs that the virtue of toleration was not in the charter: because toleration was afterwards refused, and freedom of religious worship prohibited during the existence of the same charter. "In 1692 the church of England was established by law, and, until the American revolution, it continued to be the established church of the colony." In 1704 "an act to prevent the growth of popery within the province," inhibited, by severe penalties, the Catholic clergy from the exercise of their spiritual functions: Catholics were prohibited from engaging in the instruction of youth,"† &c. &c., and not until 1702 were the provisions of the English toleration act extended to Protestant Dissenters; "and thus," says McMahon, "in a colony which was established by Catholics, and grew up to power and happiness under the government of a Catholic, the Catholic inhabitant was the only victim of religious intolerance."‡ "The government of Maryland thus became, and continued until the revolution, exclusively Protestant, and the Catholics were taxed to sustain a religion and a government to which they were emphatically strangers."§ Now if there was any guarantee of toleration in the charter which made "MARYLAND THE LAND OF THE SANCTUARY;"* if "all Christians found there a written covenant of security against all encroachment on their rights of conscience,"† how did it happen that Protestant Dissenters, for several years, and Catholics up to the year 1776, were restrained from the exercise of their own religion, and that both, for that whole period, were compelled to pay for the support of another church? It is true that for the first twenty-six years the power of appointing a governor was taken from the proprietary, and exercised by the king: but the only cause for this was "found in the single fact that the proprietary was a Catholic."‡ Yet after the Baltimore family became Protestant in 1715, they immediately resumed their dominion over Maryland, and continued in possession, until the declaration of independence. During the whole of this period the charter of Maryland was in force, the whole organization and frame of government existed under, and by virtue of the charter. The legislature, judicial tribunals, and all officers, were indebted to the charter for their official existence, and it alone imparted legality to their proceedings. The charter was never annulled or abrogated; and if it contained the vital spark which first enkindled the flame of religious liberty at the city of St. Mary's, that sacred flame could not have been extinguished by any act of the proprietary, or of the government. But no; the glory of Maryland toleration is not in the charter, and the history of that instrument, as appears by what has been developed, will prove that no peculiar feature had been given to it, because Charles was "a Protestant prince," and Calvert "a Catholic nobleman."§

It may be remarked that the only references in the charter to the subject of religion are incidental, with the exception of that clause which refers to the patronage and advowsons, &c., of churches, of which we have already disposed. The twenty-second clause directs that, in any

* McMahon's Maryland, p. 226, &c.
† Ibid. 245. ‡ Hist. Maryland, 246.
§ Ibid. 281.

* Discourse, p. 44. † Ibid.
‡ McMahon, 278. § Discourse, p. 42.

doubts about the meaning of the charter, that interpretation of it which is most favorable to the proprietary shall be applied, and then makes the following proviso, to which so much importance has been given by Mr. Kennedy: "Provided always that no interpretation thereof be made whereby God's holy and true Christian religion, or the allegiance due to us, our heirs, and successors may in any wise suffer by change, prejudice, or diminution." If we admit Mr. Kennedy's construction of the charter, it would only follow that members of the church of England were to be secured in their religious liberty in Maryland,* and consequently the proprietary was under no obligation to extend the same privilege to Catholics and dissenters, who were denied freedom of religious worship by the laws of England, and hence it would follow that the unlimited liberty to all Christians, granted in Maryland, was the free act of the proprietary and the first settlers. But it was not only in the toleration extended to those of different creeds who came to settle in the province that the liberality of the Calverts was conspicuous; for we have seen that the governor actually invited such as were oppressed for conscience' sake in New England and Virginia to come to Maryland and participate in the blessings of her enlightened and liberal policy. Assuredly the charter did not require the exercise of so expanded a liberality as this, and, therefore, the merit, which Mr. Kennedy claims for that instrument, is surpassed by the more enlarged practical liberality exercised by the governor and the first settlers.

Did we even suppose the charter to have bound the proprietary more closely than Mr. Kennedy contends for, and to have required, what it did not, that he should have debarred the province to no one professing Christianity in general; even by this vague and unauthorized interpretation, the liberal views of the proprietary are eminently conspicuous. For, considering the spirit and circumstances of the times, it would have been a very easy matter for him to imbue the legislation of the colony with a spirit hostile to civil and religious liberty, had such a disposition been lurking in his own bosom. Mr. Charles F. Mayer has very justly observed that "if intolerance had been *in the hearts* of these excellent men, it would readily and assiduously have imbodied itself in enactments and institutions; and restrictions in that spirit would have had their iron rule in evasions of the chartered interdict, express or constructive. Long, too, before the sufferings of the oppressed could have reached the ears of English royalty, the odious discriminations might have spread their affliction and tortured the obnoxious to quiescence."* In fact, the history of Massachusetts furnishes proof that such measures of intolerance were not only possible, but actually carried into effect with impunity; not only in violation of the letter of her charter, but in direct opposition to the spirit of the existing laws of England. The case we allude to was that of John and Samuel Browne, two settlers, both of them members of the colonial council, and one of them a respectable lawyer. For exercising religious worship, according to the forms prescribed by the book of common prayer, they were expelled from Massachusetts. Bancroft says their worship was forbidden as a mutiny. "While the Brownes, who could not be terrified into silence, were seized like criminals, and transported to England. They were banished from Salem because they were churchmen."† Returning to England, they breathed ineffectual menaces, and in fact never received redress. We have already shown (p. 211) what were Mr. Kennedy's opinions in 1838 of the powers of our proprietary on this point. He then asserted that "he might have incorporated his own faith with the political character of the colony, and maintained it by a course of legislation, which would perhaps, even up to the pre-

* Discourse, p. 28.

* Mr. Mayer's Discourse, p. 15.
† Hist. U. S. vol. i, p. 350.

sent time, have rendered Maryland the chosen abode of those who now acknowledge the founder's creed." Now are we to credit Mr. Kennedy in 1838, or Mr. Kennedy in 1846?

It is difficult to understand what the orator means by the declaration, "that there is more freedom of conscience, more real toleration, a hundred fold, in this charter of a Protestant prince to a Catholic nobleman, than in that act (of 1649) so often called to our remembrance," &c. It has been seen that the charter does not contain either a covenant for "freedom of conscience," or a guarantee for "toleration:" and Mr. Kennedy is too good a lawyer to hold that any private understanding between the grantor and the grantee would control the interpretation of a perpetual charter under the great seal of England, which solemnly erected a province, and conveyed away a country to the grantee, "and his heirs and assigns *for ever*." Indeed, as Mr. Kennedy has asserted, and it is not denied, that the charter of Maryland is "a transcript, with no other alteration than the locality required, from that which had before been granted by James, for the province of Avalon,"* we could not expect to find in it any peculiar features adapted to the relation of "a Protestant prince" and "a Catholic nobleman." For Calvert was undoubtedly a Protestant when he obtained from King James the charter for Avalon, although he did not go to reside there until some years afterwards, when he had become a convert to the Catholic faith. We may here remark, upon the orator's contradiction of the generally received opinion, that Lord Baltimore was influenced in his plans of colonization by a desire to provide an asylum for Catholics—that, although we have substantiated, by quotations from history, the correctness of the popular belief, there are some circumstances to which we have not sufficiently adverted, that serve to confirm it. It was not until some time after Charles I had ascended the throne, which was in 1625, that Lord Baltimore withdrew from England. With an ample fortune, a fine estate in Yorkshire, an extensive domain in Ireland, and no doubt an establishment in London, he could have had no motives or prospects for the improvement of his family by removing them to Newfoundland. But it is well known that very soon after the commencement of Charles' reign, the attacks of the Puritan party upon the Catholics compelled many of the latter to withdraw from England. The parliament of 1628 that nobly wrung from the king "the petition of right," also petitioned him against that "mystery of iniquity," the concealed toleration of Catholics, and required that "the children of recusants might be educated in the principles of Protestantism."* Avalon, in the far distant island of Newfoundland, offered an asylum for the family of Calvert beyond the range of the iron bigots who then ruled England: and accordingly we find by Vaughan's book printed in London in 1630, that Lord Baltimore had resided in Newfoundland the *last two years with his lady and children.* Experience soon convinced him that Newfoundland was not a suitable place for an asylum, and, after having expended a large sum there, he abandoned it. We find him in Virginia in 1628, and his object, as expressly stated by Beverly, was to seek a place there where he and his family might retire for the more quiet exercise of their religion. We think, with Mr. Kennedy, that the Virginians did not look upon Lord Baltimore "in the light of a mere casual visiter," but that he frankly explained his object to be the founding of an asylum for Catholics. At that period the colonists of Virginia were too anxious for the accession of men of the rank and fortune of Lord Baltimore, to have thrown impediments in the way of his settling among them: but they might well have doubted their authority, under the existing laws, and intolerant feeling of the mother country, to sanction the establishment of a Ca-

* Discourse, p. 21.

* Lingard, vol. ix, p. 225.

tholic colony; and it would have been unfair, in the highest degree, to have misled him into a settlement, as it would have been imprudent in him to have risked his fortune and happiness in a strange land, without any assurance of that religious liberty for which he was about to renounce his native country. It was, therefore, a much higher motive than mere "self-respect" that led Lord Baltimore to refuse the test oaths, and to forbid his servants to take them. It was the same consistent, conscientious objection which had caused him to resign his office of secretary of state. No other view of the proceeding can explain the tender of the oaths to Calvert; for there was not only no obligation on the part of the Virginia authorities to require these oaths, but Bozman shows* clearly that they had no right to tender them to Lord Baltimore. Had he been in search of a settlement for himself and his family only, he doubtless could have found a suitable place in Virginia, where he might have practised his religion in secret, and the Virginians would have asked him no questions. But his views were more enlarged, and we next find him exploring the Chesapeake for a suitable location for a Catholic colony, and where he might erect an altar to religious liberty.

His gallant exploit in Newfoundland, in defeating the French, gave him, we may suppose, some eclat in England, and a claim upon the gratitude of his sovereign: which was readily acknowledged by the cheap liberality of the grant of an unsettled portion of America: especially as the former grant of Avalon had proved a barren gift to Calvert, though of advantage to his country. Nothing could be more natural than to authorize the new charter to be drawn up in the same form as that for Avalon, which, having been prepared with great care under the late king, when Calvert was a member of the cabinet, thus became the model for that of Maryland, without the slightest reference to the respective belief of "the Protestant prince," or "the Catholic nobleman." Mr. Kennedy says: "I need not relate by what steps he (Calvert) contrived to secure the grant for this province. It was clearly within the limits of the Virginia charter."* This remark would imply some unworthy proceeding on the part of Lord Baltimore. But history records none such. The candid McMahon who insinuates nothing, but speaks with the dignity of a historian, says: "On his return to England he preferred his application for the grant of the province of Maryland, and sustained, as it was, by the considerations of distinguished services, untiring enterprise, and great moral worth, it was readily acceded to."† As to its being within the limits of the Virginia charter, the same historian informs us that, in 1623, nine years before the Maryland grant, in virtue of a *quo warranto*, the Virginia charters had been *annulled*, "and the rights granted by them revested in the crown. From that period Virginia became what was termed a 'royal government,' and as such there was an inherent right in the crown to alter and contract its boundaries, or to carve new and distinct territories or governments out of it at its pleasure.‡ Regarding the point of law involved in the question, no higher professional opinion could be desired than that of this eminent lawyer; and he has pronounced the right "incontestable."§

In the endeavor to make his character of Calvert *original*, our orator's remarks upon his parliamentary career may be regarded as a specimen of that peculiar style of eulogy which the poet designates to "damn with faint praise;" but whether he succeeds in proving him "the advocate of the high kingly prerogative, as contradistinguished from the privilege of the legislative body," is of less consequence than to ascertain whether Calvert procured such a charter for Maryland as protected its people from the tyranny of the one and the oppression of the other. In

* Hist. Maryland, vol. i, pp. 255 and 256.

* Discourse, p. 20. † Hist. Md. pp. 9 & 10.
‡ Ibid. p. 6. § Ibid.

his analysis of the charter for the purpose of exhibiting Lord Baltimore as a man who "was no great admirer of those forms which diffused power amongst the people, and restricted the exercise of it in the magistrate,"* we think the orator has done great injustice to his subject. Fortunately Calvert had other "chroniclers of his living actions," and other "heralds of his fame," than Mr. Kennedy, whose commentaries on the charter are furnished more for the purpose of illustrating the life of his *hero*, we should presume, than to exhibit the depth of his own researches on constitutional law, or American history.

"Turning to this instrument, then, we may remark," says Mr. Kennedy, "that it imbodies a scheme of the strongest government known throughout all the American colonies."†

Chalmers makes a similar remark; but he adds what Mr. Kennedy omits: "The privileges conferred upon the *people* are assuredly *superior* to those granted to other colonists,"‡ and McMahon says: "The charter of Maryland exhibits to us the most favorable form of proprietary government." But Mr. Kennedy asserts that

"The proprietary even claimed and practised in the course of the government of the province, the right to dispense with the laws, in accordance with a principle asserted by King James, as a branch of the royal prerogative, and which we may conclude was consonant with Lord Baltimore's own opinion."§

Now we are not aware of any such claim on the part of the proprietary. He held that the initiative, or the right to propound the laws to the legislature was with him; which was denied by that body, and claimed for themselves. Each rejected the body of laws *proposed* by the other: but that was very different from dispensing with the laws. The legislature might as well be said to have claimed the right to dispense with the laws as the proprietary. It was a question, in the infancy of the colony, merely as to who should originate the laws; and under the charter the people carried their point. The comparison to King James, and his royal prerogative, is a mere fancy tint, to give a shade of despotism to Lord Baltimore's character. But, says Mr. Kennedy, he was authorized to summon "whatsoever freemen he chose to take a seat in the legislative assembly, without election by the people, thus enabling him to control the majority of that body,"* and in proof of this power of the proprietary, he quotes a *portion only* of that sentence of the seventh section of the charter which confers the authority to make laws. We give the extract as prefaced and italicised by himself.

"The language of the charter, regarding the summoning of delegates, is:—'Whom we will shall be called together for the framing of laws, when and as often as need shall require, by the aforesaid baron of Baltimore and his heirs, *and in the form which shall seem the best to him or them.*'"†

Now the clause of the charter which confers the power referred to, has the following significant words in the preceding part of the *same* sentence from which Mr. Kennedy has quoted:

"We grant, &c., unto said baron, &c., power 'to ordain, make, and enact laws, &c. *of and with the advice, assent and approbation* of the FREEMEN of the same province, *or* of the *greater part of them, or* of their *delegates* or *deputies*, whom WE will *shall* be called together *for the framing of laws* when, and as often as need shall require, by the aforesaid now baron of Baltimore, and his heirs, and in the form which shall seem best to him or them.'"‡

Did Mr. Kennedy do justice to the character of Lord Baltimore in quoting from that sentence of the charter—which not only authorizes, but positively commands the organization of a popular legislative body—only so much of it as relates to the form of convoking them? The power to enact laws is confided to the proprietary *and* the people or their representatives, jointly; but it is made the imperative duty

* Discourse, p. 27. † Ibid. p. 24.
‡ Political Annals, p. 204. § Discourse, p. 42.

* Discourse, p. 25. † Ibid. *note*.
‡ Bacon's translation of the Charter.

of the proprietary to convene them:—"Whom we *will shall* be called together for the framing of laws." Nay, more, the words of the charter provide that the deliberative body on whom this power of legislation is conferred shall be the "freemen, or the *greater* part of them, or *their* delegates or deputies," and as to the form, it is to be that which "shall seem best to *him* or *them*."

"The colonial history of that period, 1632," says Mr. Kennedy, "furnished abundant examples in the New England settlements, of government on a much more popular basis, and we can not suppose that these were not well understood by Calvert."

Mr. Kennedy does not designate any among the "abundant examples" of these governments on a more "popular basis" in 1632. They exist but in his imagination: which has been taxed too much already. The *only one*, at that period, "the charter on which the freemen of Massachusetts succeeded in erecting a system of independent representative liberty, *did not* secure to them *a single privilege* of *self-government;* but left them, as the Virginians had been left, *without one valuable franchise*, at the mercy of a corporation within the realm. This was so evident, that some of those who had already emigrated clamored that they were become slaves."*

To obviate these difficulties, it was arranged that the "corporation" should emigrate to Massachusetts, which it did in 1630. There, says Chalmers, "the ruling men showed their own temper, by sending forcibly to England those whose opinions or practice they did not believe were sufficiently orthodox."† In 1631 it was "decreed that none shall be admitted to the *freedom* of the company, but such as were church members; that none but *freemen* shall *vote* at elections, or act as magistrates, or *jurymen*."‡

These regulations were in full force in 1632, and in the only New England settlement which pretended to a charter at that period. And whether popular rights and rational liberty were more safe under such limitations, than under the charter of Maryland, we leave to the impartial to decide. In fact, while the liberties of the New England colonies were but in the germ, those of Maryland were in the full bloom of maturity. Hear the testimony of an enthusiastic son of New England of the present day.

"The fundamental charter of the colony of Maryland, however it may have neglected to provide for the power of the king, was the sufficient frank pledge of the liberties of the colonists, not less than of the rights and interests of the proprietary."*

The orator's opinions about the comparative excellence of different forms of government seem have undergone a remarkable change within the last eight years, if we may judge from the sentiments expressed by him in 1838, about the charter and form of government of Maryland; when he thus referred to them, in the *preface* to his *Rob of the Bowl*, over the signature of the "THE AUTHOR:"

"As a native of the state, he feels a prompt sensibility to the fame of her Catholic founders, and, though differing from them in his faith, cherishes the remembrance of their noble endeavors to establish religious freedom, with the affection due to what *he believes the most wisely planned* and honestly executed scheme of society which *at that era*, at least, was to be found *in the annals of mankind*."

As the author now contradicts himself, it is not surprising that his present views are at variance with those of every respectable writer on the government of Maryland. Now, we ask again, are we to credit Mr. Kennedy in 1838, or the same gentleman in 1846?

Instead of commending Lord Baltimore for that invaluable privilege secured by the charter to the province of Maryland—of an exemption for its laws and proceedings from any supervision or control by the king or parliament,—Mr. Kennedy only

* Bancroft, vol. i, p. 345.
† Political Annal, p. 153. ‡ Ibid.

* Bancroft's U. States, vol. i, p. 241.

sees in this peculiar privilege a diminution of security "against infractions of the charter,"* and intimates that it was "to strengthen the hand of the proprietary against a supervision which he chose to have as little exercised as possible." Nor does he vouchsafe a word of praise for the exemption for ever, "by express covenant in the charter, from all royal taxation by the crown—from all 'impositions, customs or other taxations, quotas or contributions whatever,' to be levied by the king or his successors."†

But he sums up his judgment of the charter, and delivers his sentence in the following authoritative decree:

"Certainly we may affirm of it that, however beneficent it might be under the ministration of a liberal and wise proprietary, it contains many features which but little coincide with our notions of free or safe government. Considering it as the work of Lord Baltimore himself, it is a very striking exponent of his political opinions," and, we must infer "that he was, in fact, here, as well as in England, the friend of prerogative against privilege."‡

The royalist Chalmers, who had lived and practised law in Maryland, many years, before the revolution, entertained very different sentiments, as appears by the following remarks on these topics:

"To guard against the irregularities of prerogative, therefore, and not the constitutional authority of parliament, he (Calvert) procured, with that caution which experience inspires, the various clauses before mentioned, to be inserted in his patent. And from all such taxation, and even legislation, the people of Maryland were most assuredly exempted."§

We shall conclude with Mr. McMahon's remarks upon these points:

"The proprietary might, doubtless, have as easily obtained a grant of legislative power, to be exercised solely by himself, and quite as extensive: and the admission of the colonists to participation in it, at once evinces his sagacity, and reflects lustre on his character. It was this exalted privilege, which endeared his government to the people of Maryland: and had they not possessed it, his dominion would soon have been marked by the same arbitrary character, and have shared the same fate with that of the London company. There was another very peculiar feature in the grant of legislative power. The sovereignty of the mother-country was reserved in terms, but the proprietary was under no obligation to transmit the laws of the province to the king, for allowance or disallowance. Thus the vigilance of the crown, in guarding its own prerogatives against silent and gradual encroachments, was in a great measure excluded."*

In the tenth edition of his History of the United States, Bancroft has this record:

"Sir George Calvert died, leaving a name against which the breath of calumny has hardly whispered a reproach."†

In a future edition he may add that, although history had ennobled that name, for more than two centuries, among the most disinterested, conscientious, and liberal founders of states, it was the ungracious office of a native orator of the state he had founded—in that city whose gratitude, signalized by its monuments, is the proud memorial of his titled name and fame—to present him to the world as an interested speculator in charters, a temporizing hypocrite in religion, and a selfish and despotic statesman. But that enlightened historian will vindicate the fame of Calvert by pointing to the impartial history of the past, which sparkles with the record of his virtues—whilst he again registers the fact that he "was the first to plan the establishment of popular institutions with the enjoyment of liberty of conscience,"—and he will point to the present prosperous, patriotic, and happy commonwealth, as the monument of his successful policy in adopting "religious freedom as the basis of the state."‡

* Discourse, p. 26. † Ibid. ‡ Ibid. p. 27.
§ Polit. Ann. p. 205.

* Hist. of Md. p. 155. † Vol. i, p. 244.
‡ Ibid.

Far better had it been for the fame of Mr. Kennedy, had he never attempted to write the life of Lord Baltimore; which, with the solemn air of a historian, he has made the dullest of his works of fiction; full of grave invention, without wit or humor to enliven it. And far more honorable to his love for his native state, had he withheld the unfilial, though impotent hand which has been extended to deprive the founders of our commonwealth of their glory and fame, as examples to the world in the establishment of a state, upon principles alike sacred to liberty, and sanctified by the charities of religion.

It is unaccountable how such a production should have fallen from the pen of Mr. Kennedy. Without insinuating that he acted with any evil intention, his inconsistency and signal failure have reminded us of an amusing story that embellished the pages of a spirited ephemeral periodical, which the juvenile efforts of several wits of Baltimore produced, some quarter of a century since, under the title of the *Red Book*. The story we refer to—*The Student of Gottingen*—is composed with grace and elegance, and conveys an excellent moral, that may be useful to all writers. Namely, that an author should never be induced to write by the promptings of evil advisers. The story represents the student at the midnight hour, alone in his chamber, broken down, and at his wit's end to know what he shall do next to make his way through the world. His solitary musings are interrupted by the appearance of the devil in the disguise of a Capuchin friar. After the student has informed him of the cause of his despondency, and requested his counsel, the friar praises his learning and genius, and tells him to *write*. "But what shall I write?" asked the student. The friar dictated, and the story concludes with stating that the student did as the friar had told him, and, as the devil had foreseen—*the student was damned*.

THE POPE AND THE CZAR.

I.

From his barbaric realms afar,
Where tyranny fell, and winter cold,
Relentless empire keep, the Czar
Came up to the Tiber, to behold
Religion's venerable home,
And still the world's own mistress—Rome.

II.

Open her massive portals fly,
Her ancient pavements ring beneath
His sparkling chariot—and his eye
Falls on festoon and festive wreath
Which twine the palace walls around,
While o'er the hills the joy-bells sound.

III.

Not a proud victor doth he ride
In triumph—as in other days
Barbarian tyrants lived to stride
Along these ancient classic ways;
Or with imperial ensigns fierce
Doth he through shouting myriads pierce.

IV.

'Tis not to dash from Peter's throne
The undaunted pontiff, white with years,
As other emperors had done
In antique feuds—he now appears:
No, at the apostles' sacred shrine
His haughty, daring head to incline.

V.

He crouches at the pontiff's feet,
And trembles at the menace bold:
"Proud Czar, we both are doomed to meet:
I first—for I am weak and old—
Before the Master of all things,
The inexorable King of kings!

VI.

"There must our dread account be given:
By me, of my unceasing care
Of those entrusted me by heaven:
By thee, of those vast realms that fear
The frown of that despotic brow
That stoops before St. Peter now.

VII.

"Then shall thy deeds atrocious cry
For vengeance on thy guilty head:
Poland shall start before thine eye,
And Russia's Catholic martyred dead!
Thou tremblest!—then 'twill be too late,—
Thine, thine must be the tyrant's fate."

VIII.

That eye whose glance, like lightning, rives
The poor doomed victim of his ire,
Sheds tears, while shame with anger strives
Within that breast of stifled fire.
Pierced with remorse, large alms he gave,
But not a Roman cried, "*God save!*"

CLERUS.

ST. JOSEPH'S SISTERHOOD.

NEAR EMMITSBURG, MARYLAND.

TAKE great satisfaction in presenting our readers this month with a view of St. Joseph's Sisterhood, as it at present appears with recent additions and improvements, engraved from a neat sketch taken upon the spot. The view presented is from a south-west approach. This, the mother-house of the Sisters of Charity in the United States, is advantageously situated in one of the most beautiful portions of Maryland. It enjoys in perfection the blessings of a healthful climate, a clear and bracing air, a fertile soil and enlivening prospect. It stands upon the bosom of that beautiful valley lying at the base of Mount St. Mary's, an honored locality familiar in the Catholic annals of the state, and screened along its southern boundary by the Catoctin ridge, a range of wooded highlands sometimes called White Mountains. A delightful prospect greets the eye of the traveller as he approaches this beautiful spot by the Frederick road. On his left, just at the lower slope of the mountain, he beholds at some distance, rising above the surrounding grove, a Catholic seat of learning which has done much for science and religion, and above that, upon a higher elevation, in a rest of the ascent, the snow-white chapel of St. Mary's, snugly ensconced in its forest nook, and reached through the shaded mountain path by its parishioners of the surrounding country. In front, on a commanding elevation, his eye rests upon the trim grounds and extensive structures of the sisterhood, while still beyond, at an interval of perhaps a mile, he beholds the handsome village of Emmitsburg, with its neat chapel rising to view.

Of the many objects of the valley, no one attracts interest, and rivets the attention more forcibly, than the Sisterhood, owing to the hallowed associations which cluster around the place, as well as the imposing appearance of the establishment itself. The visiter approaches by an avenue bordered with trees, affording a carriage way and foot-walks, communicating with the public road by an ornamental gateway, with its lodge standing near by. A large connected mass of building, with detached structures on each side, spreads out before him, presenting the appearance almost of a village. The main edifices are substantial and pleasant to the view. Every thing bears the air of comfort, elegance and content. The chapel, with its cross-crowned cupola and extended wings, faces the avenue. On the left side, somewhat in front, stands the venerable "*mother-house,*" presenting every appearance of a carefully protected and useful old age.

It is a neat, white, two-story frame building, and now shelters a band of orphan children provided for by the good sisters. This old habitation is regarded by all with almost affection, and calls up many a recollection of privation and patient hope, for charity and religion's sake, while St. Joseph's yet struggled with the perils of a feeble infancy. How can we contemplate without admiration and wonder the extended result of a beginning so small? Heaven has, indeed, smiled upon its career!

The society of "Sisters of Charity" traces its origin in America to the year 1809. It arose out of the saintly charity and zeal of its foundress and first mother. The infant community removed from Baltimore to its present situation during the ensuing year, 1810. The humble building, which in its present location receives the visiter's first attention, alone protected its early, but constantly advancing efforts for usefulness. It was some years since removed from its former position, to give place for more roomy and substantial structures. Mother Seton lived to see the offspring of her holy resolves and self-denial flourishing like the "green bay tree." She sleeps the "sleep of the just," in the small cemetery just beyond the house, for so many years her earthly habitation. With her repose many of her spiritual children, who have already gone to receive the reward of their labors. The history of the foundation of St. Joseph's Sisterhood has been the attractive theme of many a pen, and is already with the Catholic as the tale more than "thrice-told." We may, on some other occasion, add much to that history that will be interesting.

It must, however, prove agreeable to the reader to hear of the more recent progress and improvements at St. Joseph's. The establishment now seems complete in every department, but we feel sure that the spirit of improvement and enterprise, which has already effected such wonders, will never be satisfied with well-doing, but will find much more to accomplish. For the accommodation of the young ladies' academy, a spacious building has been added within four years, adjoining the former school house, which before was made with difficulty to suffice for the uses of both school and community. This new building is of brick, about sixty feet square, and three stories high. The beautiful and spacious chapel we may also call a recent improvement, having been built within the last six years. The farm buildings, and others for the service of the house, are complete, even to a carpenter's and a blacksmith's shop, so that almost every appliance for addition or alteration is to be found in connection with the establishment itself.

But the most important addition of all is an extensive convent, exclusively for the use of the community, which was found requisite from the increase of its members. It is an imposing edifice, and was erected in the incredibly short space of little more than a year, having been founded in May, 1844, and not only finished, but occupied in September, 1845. It stands east and west, connecting the chapel and academy, with lateral projections to the south, enclosing on three sides a court yard seventy feet by forty in extent. The new convent is two hundred and thirty-two feet in developed length, and forty in width, with two stories and a roomy attic, and is constructed of brick and cut stone, colored of a light slate or gray. It is after the conventual style of the fourteenth and fifteenth centuries, with embattled parapets; high-pitched roof with dormers, surmounted by a belfry thirty feet high; the windows of the second story square, with transom forming cross; the lower windows and cloister-arches depressed four-centred tudor, mullioned with hood-moulds; gables projecting above the roof, with caps in the style of St. Ethelred's chapel, Ely palace; the lateral walls broken by buttresses; and with porches to the first and second stories, running along the north wall. The build-

ing in its external features is truly Catholic. It was designed and superintended while in the course of erection by a gentleman who has given professionally much attention and study to the details of Christian architecture. Nor are the interior parts of the edifice less appropriate to their sacred uses. The lower and second stories are severally fourteen feet in height. Upon the first is a cloister running around the entire court yard and communicating with the chapel, and also the public rooms for the use of the community, among them the superior's apartment and chapter-room. The other stories being occupied as dormitories, for the infirmary, refectory, &c. We might go into detail as to other recent improvements; of the grounds, farm, garden, &c. &c., but these, to be appreciated, can only be judged of by a visit in person, not by description. We can not but mention a beautiful oratory erected in the middle of the garden from the offerings of the young ladies of the academy, now almost completed, only ten by twenty feet, but to be finished within in the pointed style, even to the most minute particular.

The progress of building and improvement is a sure indication of the great prosperity of the society. The community at St. Joseph's numbers about one hundred and eleven members; of whom fifty-eight are professed sisters, forty-six novices, and seven postulants. Besides this number at the mother-house, there are two hundred and fifty-seven employed on different missions throughout the union, principally in the direction of orphan asylums and free schools. The number of establishments in the country, besides the mother-house, is thirty-seven. St. Joseph's academy for young ladies, attached to the sisterhood, is also in a most prosperous condition. Its great merits and advantages are appreciated throughout the country. It contains a large number of pupils, drawn from every section. We understand that the sisters contemplate extending their facilities for female education by opening, during the present season, a department for young girls under nine years of age, at a moderate rate of expense. Further particulars respecting this intended addition to the range of instruction at St. Joseph's, will be found in the advertising pages of the Magazine.

All must feel a glad interest in the rapid progress of the SISTERS OF CHARITY. Many thousands already, throughout the length and breadth of the land, have abundant motive to bless the heroic virtue and self-devotion of the good daughters of St. Vincent—those valiant women who vie with each other in the cause of CHARITY and BENEVOLENCE.

EPIGRAM.

AD DOCT. PUSEY.

Pusey, tuum Newman defles cur tristis ademptum?
Vivit—non periit—Vir novus ille Fide,
Pone modum lachrymis: tibi erit devinctior olim,
Ambo quum potis est consociare Fides.
Exue tu *veterem* prudens hominemque *pucillum*:
Sic eris ipse novus Vir, velut ille, Fide.—*Tablet.*

INTELLIGENCE.

FOREIGN.

Russia.—*The Banished Priests.*—Ninety-seven Catholic priests (says the *Gazette de Cologne* on the 5th inst.), persecuted in Russia, because of their belief, were employed as laborers in a Russian town. One of the prelates has the marks on his hands even yet of hard labor. They were then taken to Tobolsk and kept there in a dungeon, deprived of daylight, whence they escaped, after being threatened with a harsher fate. They are exiles now in Prussia, Italy, France, &c., and in Switzerland alone are fifty.

More of the Czar in Rome.—The *Cork Examiner* has a version of the imperial visit to the sovereign pontiff, which we consider worth aggregating to the evidence we have already collected on the subject: "The pope began by saying that in the natural course of things his life was very near its close, and that the emperor, too, though a young man, must soon appear before their common judge, and he pointed to a crucifix in the room as he spoke. The emperor became agitated, and attempted to kiss his hand; the pontiff withdrew it, and continued, saying, that of the two hundred and fifty million of which he is the spiritual head, none were so barbarously treated as the portion of them that were within his dominions. On this the pontiff dwelt at great length, and produced the statement of a man who, with others of the same community, had been treated in a most barbarous manner during seven years. They were exposed naked before the soldiers, kept standing in water up to their necks, some beaten to death, one burned alive in an oven, &c. &c., and all this to force them to become members of the schismatical church of Russia! To this statement his reply was, that he knew nothing of the matter, and that he would cause a strict inquiry to be instituted, and the perpetrators punished. The pontiff very coolly turned over to a pile of documents that lay by him, consisting of the penal laws passed against the Catholics to which his signature was affixed, and asked him did he know of these laws? The emperor was dumb. To the question whether he would repeal them, he replied yes; but on being asked to give a written promise, he answered that he should first consult his ministers. I am the minister of Jesus Christ, replied the pope, and I demand justice in his name! Let Catholics have at least the same liberty in Russia that the Russians will enjoy in Rome, and let me have a nuncio in St. Petersburg. The only answer was, that he should consult his ministers! On the same day a new edict, by which an altar belonging to the schismatical church was erected in every Catholic chapel, arrived in Rome. The nobility returned the tickets for a ball which he sent them. On applying through his minister to visit the Propaganda, Cardinal —— coolly answered, 'Propaganda patet omnibus.' He expressed a wish to visit the museum of one of the nobility, and was told that on two days in the week it was open to the public. He gave five pauls to six soldiers who escorted him out of the pope's dominions, and the person to whom it was given flung it to the ground with contempt for the thing and the person! Thus ended the visit."

France.—A letter has been received in this city (Baltimore) from the Right Rev. Dr. Hughes, bishop of New York, dated Paris, Ash Wednesday, from which we are glad to learn that he continues to enjoy good health, and may be expected in New York by the 19th of April.

Rt. Rev. Dr. Odin, bishop of Texas, was also in Paris, having visited France with a view to procuring, if possible, ecclesiastical aid in the arduous duties of his diocess. We are happy to learn that he has been entirely successful in his objects.

DOMESTIC.

Archdiocess of Baltimore.—*List of Annual Subscribers to St. Mary's Asylum for* 1845.—Most Rev. Dr. Eccleston $10, Very Rev. Dr. Deluol 5, Rev. Mr. Coskery 5, Rev. Mr. Hickey 5, Rev. Mr. Chakert 10, Rev. Mr. Randanne 5, Rev. Mr. Fredet 5, Rev. Mr.

Dolan 5, Rev. Mr. Jenkins 5, Rev. Mr. Raymond 3, Rev. Mr. White 2, Rev. Mr. Knight 2, Rev. Mr. Verot 2.50, Rev. Mr. Randanne 1, St. Mary's College 20, Mr. Wm. Kennedy 5, Mrs. Wm. Kennedy 5, Mr. T. C. Jenkins 5, Mr. M. W. Jenkins 5, Mr. J. W. Jenkins 5, Mr. Joseph W. Jenkins 20, Mr. Austin Jenkins 5, Mr. Alfred Jenkins 5, Mr. Edwd. Jenkins 5, Mr. Edwd. F. Jenkins 5, Mr. M. Courtenay Jenkins 5, Mr. Robert Jenkins 5, Miss R. Hillen 5, Mrs. Sol. Hillen 5, Mrs. John Hunter 5, Mrs. Thos. Hillen 5, Mr. Thos. Hillen 5, Mr. John Hunter 5, Miss R. Hunter 5, Mrs. T. Meredith 5, Mrs. Z. Collins Lee 5, Mr. B. R. Spalding 5, Capt. Chas. Welsh 5, Mrs. Chas. Williamson 5, Col. Wm. Thompson 5, Mrs. Ford 5, Miss Ellen Ford 5, Miss Ellen M. Jenkins 5, Miss H. A. Spalding 5, Mr. P. McKenna 5, Mr. John W. Saunders 5, Mrs. Beverly Saunders 5, Mr. E. J. Saunders 5, Mrs. Barrett 5, Mrs. P. Tiernan 5, Mrs. C. Tiernan 5, Mr. Wm. Tiernan 5, Mrs. John Howard 5, Mrs. Wm. G. Read 5, Mrs. Wm. Tiffany 5, Mrs. H. Tiffany 5, Mrs. G. Tiffany 5, Mr. Bonaparte 5, Mrs. J. O'Donnel 5, Dr. Frick 5, Miss De Chateauden 5, Mr. T. Kelly & Son 5, Mrs. Randall 5, Mrs. Dr. Aikin 5, Mr. Chas. Mareau 5, Mrs. Basil Elder 5, Mrs. John Daley 5, Mrs. John Walsh 5, Mr. B. Elder 3, Mr. Francis Elder 2.50, Mrs. H. B. Atkinson 5, Mr. Sarsfield 4, Mrs. Fielding Lucas 5, Mrs. G. R. Carroll 5, Mr. John Bradford 5, Miss Lightfoot 5, Mr. Stillinger 5, Mr. Ambrose White 5, Mrs. Dr. Stewart 5, Mrs. MacTavish 5, Mrs. Caton 5, Mrs. Harper 5, Miss Harper 5, Mrs. Ellen M. Mayer 5, Mr. Ignatius Pike 5, Miss Landry 5, Mr. Veazy Ward 5, Mrs. C. Welch 3, Mrs. Walbach 3, Mrs. Wm. Bose 3, Mr. Wm. Lucas 3, Mr. Chas. Martin 3, Mr. Cowles 3, Mrs. Wm. G. Howard 3, Mr. T. P. Scott 3, Mrs. T. P. Scott 3, Mrs. S. Moale 3, Lieut. Chatard 3, Mrs. Ferdinand Chatard 3, Mrs. R. Wilson 3, Mrs. Gegan 3, Mr. John Murphy 3, Alexandrine Sanier 3, Miss Jackson 3, Mr. Edwd. Boyle 3, Mr. Richd. McConn 3, Mr. James V. Wagner 3, Mrs. Peter Gould 3, Messrs. J. & C. McColgan 3, Mr. F. Crey 3, Mr. Henry Pike 3, Col. Bensinger 3, Mr. F. Lucas 2.50, Mr. L. Dorsey 2.50, Mrs. G. Law 2.50, A friend 2, Mr. J. Mullan 2, Mr. Servary 2, Mrs. Hitselberger 2, Mrs. Heuisler 2, Mr. Rosenstell 2, Mr. J. Hartman 2, Mrs. Robt. Hickley 2, Mrs. McKew 2, Mr. Hugh Brady 2, Mrs. Laroque 2, Miss Sarah Ann Smith 2, Mrs. S. Connoly 3, Mr. Staylor 2, Mrs. Lusby 1.50, Mr. J. H. Jenkins 1.50, Mrs. E. McGreevy 1.50, Mrs. E. Wall 1.50, Mr. C. Simon 1.50, Mrs. G. Sanders 1.50, Mrs. Mary Walter 1.50, Mr. George Walter 1.50, Mr. Shortel 1.50, Misses Howard 1.50, Mrs. Myers 1.50, Miss M. Taffy 1.12½, Mrs. Anderson 1, Mr. Johnson 1, Mrs. Abel 1, Mr. James White 1, Mr. Victory 1, Mrs. McMullan 1, Mrs. McDonald 1, Mrs. Damman 1, Mrs. Hastings 1, Mr. Owen Donnely 1, Mr. M. Doyle 1, Mr. Danl. Coonan 1, Mrs. Salzburg 1, Mr. Clautice 1, Mr. Majors 1, Mr. Merritt 1, Mrs. Servary 1, Mrs. Magraw 1, Mrs. Foley 1, Mr. Gregory Ennis 1, Mr. M. Concannon 1, Mrs. Griffin 1, Mrs. King 1, Mrs. Noel 1, Mr. L. Gross 1, Mrs. Hickley 1, Mr. Shannessy 1, Mrs. McKenna 1, Mrs. B. Chase 1, Mrs. O. Neale, 1, Mr. McManus 1, Miss Cornprop 1, Mr. Joseph Baker 1, Mr. Logue 1, Mr. Edmund Butler 1, Mr. A. Keenan 1, Mrs. Ellen Eisler 1, Mrs. Menzies 1, Dr. Edwd. Baker 1, Mrs. Dowson 1, Mr. McElroy 1, Miss R. McGwiken 1, Miss Agnes Brady 1, Miss Catharine Burton 1, Mrs. Davis 1, Mrs. Rosenstell 1, Miss Sophia May 1, Miss Sarah McColm 1, Cash 1, Miss Mary J. Demourci 1, Miss Margaret Norris 1, Mr. John O'Neale 1, Mr. Michael Conry 1, Mr. Patrick Conry 1, Mr. James Galvin 1, Mr. Francis Widefield 1, Mr. Michl. Rohan 1, Mr. Martin Mohler 1, Mr. John Greenham 1, Mrs. Dunlevy 1, Mrs. Strohm 1, Mr. P. Laurenson 1, Mrs. Murray 2, Mrs. Dutch 1, Mrs. Rodewald 1, Mr. F. Rodewald 1, Mr. F. Vonkapp 1, Mr. James McGuirk 1, Margaret McMullan 1.50, Mrs. Maria MacGreevy 1.50, Mr. Boursaud 1, Mrs. Brown 1, Mrs. Stapleton 1, Mrs. Thompson 1, Mrs. Ragan 1, Mrs. Seche 1, Mrs. Druse 1, Miss V. Delmas 75 cents, Miss Raphael 75, Mrs. Young 50, Mrs. Blair 50, Mrs. Young 50, Mrs. Kane 50, Mrs. F. X. King 75, Mrs. Ann Ryley 50, Mrs. McSweeny 25, Mrs. Rodolph 50, Mrs. Murphy $1, Miss Mary Hurner 75 cents, Mrs. Dickehut $1, Mrs. Fortune 1, Mr. McSherry 1, Dr. Maguire 1, Mr. J. Murray 1. Donations received $12.12½.

Of the above named subscribers, some are in arrears for the past year, and are earnestly requested to hand in their contributions.

The managers of the Asylum take this occasion to thank the patrons of the institution

for their generous assistance, and to solicit a continuance of their benevolence in behalf of the orphan.

St. Patrick's church.—The anniversary of St. Patrick's day was commemorated yesterday morning in St. Patrick's church, Broadway, East Baltimore. The service commenced at 11 o'clock in the morning, high mass being celebrated by the Most Rev. Archbishop Eccleston, assisted by the Rev. Dr. Deluol, and other gentlemen of the Roman Catholic clergy, from St. Mary's seminary. The panegyric of the saint was delivered by the Rev. Nicholas O'Donnel, of Brooklyn, N. Y., in one of the most eloquent and impressive addresses we have lately had the good fortune to hear. The choir, under the direction of Mr. Francis Walter, the leader, and assisted by Mr. P. Kelly, professor of music in St. Mary's college, "discoursed most eloquent music," and the whole service was gone through in a manner highly calculated to gratify all who attended it.

On the same day, the following members were elected as officers of the Hibernian Society for the year 1846: President, Hugh Jenkins; vice president, Col. Jacob G. Davies; second vice president, Wm. Gwynn; chaplain, Rev. James Dolan; counsellor, Samuel I. Donaldson; physicians, Dr. J. O'Donovan, Dr. Charles Maguire; treasurer, J. O. Law; secretary, Peter A. Kelly; managers, Col. James Grieves, Timothy Kelly, Edward Boyle, John McColgan, James Kernan, Charles Pendergast, Dr. E. J. Chaisty, Robert Barry.—*Sun.*

Confirmation.—On the 10th of March, the Most Rev. Archbishop administered confirmation to thirteen pupils, and seven domestics of the Academy of the Visitation at Georgetown, D. C.

Young Catholic's Friend Society.—At the monthly meeting in March of the Young Catholic's Friend Society, the Rev. Messrs. Donelan and Sourin, O. A. Brownson, Esq., and Dr. F. Chatard were elected honorary members, and Lieut. Chatard, Luke Tiernan, and John O'Brien active members.

New German Catholic Church.—The corner-stone of the new church intended for the use of the German Catholics under the pastoral care of the Rev. M. Alig, of this city (Washington), was laid yesterday (March 25) by the Most Rev. Archbishop Eccleston, with appropriate solemnities, in the presence of an immense body of people, who witnessed the ceremonies. A very large procession, accompanied by the German band, moved along Pennsylvania avenue, from St. Matthew's church, passing into Four-and-a-half street, and thence to the site of the church of St. Mary Mater Dei, which is situated on Fifth st., between G and H streets. The procession formed at the German chapel on Eighth street, and marched thence to St. Matthew's church. When the procession arrived at St. Matthew's, there was a considerable increase of its number. As it passed along Pennsylvania avenue, we noticed—

1. The German Band.

2. The German Beneficial Society, two and two, wearing white rosettes, and bearing a handsome banner with a representation of the merciful Samaritan.

3. The German Male and Female Sodality; the males wearing red sashes, the females dressed in white, with wreaths of flowers on their heads, preceded by their pastor, the Rev. Mr. Alig.

4. The Washington Benevolent Society, two and two, bearing their handsome green silk banner, and each member wearing a green badge.

5. The Rev. Messrs. Flannegan and Ray, of Georgetown, the Rev. Messrs. Donelan, of Washington, and several of the Baltimore clergy, in their clerical robes.

6. A numerous body of Germans and citizens, walking two and two.

When the procession reached the site of the intended church, a lane was formed from a house on Fifth street to the corner stone, when the Most Rev. Archbishop Eccleston, in pontificals, with his attendants, passed along it, followed by the clergy, the mayor, and other gentlemen. The corner-stone was then laid by the archbishop; after which a sermon was delivered in English by the Rev. J. P. Donelan, and another sermon in German by the Rev. Mr. Haslinger, of Baltimore. The services and ceremonies continued for more than two hours. We understand that the archbishop and the clergy dined at Mr. Miller's, on the corner of Ninth and F streets.—*Nat. Intel.*

Spiritual Retreat.—On Friday morning, 13th ult., a spiritual retreat was commenced in the Catholic church of Cumberland by the Rev. John McElroy, who had been specially invited for that purpose by the resident pastor of the congregation, the Rev. L. Obermeyer. Divine service was continued day after day until the

17th ult., when the exercises closed. The church was during the whole time thronged by persons anxious for their spiritual progress, and we are pleased to learn that from all appearances they have succeeded; as about four hundred members of the church received the holy sacrament of the Lord's supper near the termination of the retreat. The Rev. Mr. McElroy delivered several discourses, and fully sustained his reputation as an eloquent speaker and able theologian. Rev. Messrs. Myers, of Hagerstown, and Brennan, of Mt. Savage, aided in the good work. We may also add that both on Sunday and on St. Patrick's day many persons took the temperance pledge.—*Alleganian.*

Orphan's Fair.—A fair for the benefit of St. Vincent's Male Orphan Asylum in Baltimore will commence on Easter Monday, at Franklin Saloon, where all, it is hoped, will concur in supporting that noble charity.

Giustiniani in Baltimore.—This wandering interloper, having made but poor capital in Baltimore out of his libellous disclosures, must have felt very small upon his recent departure, to find that his unblushing attacks upon the purity of Catholic character had earned for him nothing but the *indiscriminate* scorn and contempt of all good citizens. The proposed limit to his sojourn among us is said to have been much shortened by the very decided rebuffs his zeal received from some from whom he expected very different treatment. If a pest had been removed from our midst, it could not have given more satisfaction to the discreet and charitable of all denominations, than did the disappearance of this dabbler in obscenities. He has carried away with him some Baltimore pennies, and, perhaps, the unenviable consolation, that he has pandered to the morbid appetites of some scores of young rogues, and confirmed the prejudices and credulity of some good old women of both sexes, who religiously believe that all that can be said of Catholics falls far short of what remains to be told—who imagine at the very name of pope that they see the seven horns, with which their fancies have decked him, coming full tilt to destroy them. To these last, Giustiniani must have come as a most welcome apostle, and his words fallen upon their hearts like dew upon the drooping flowers. We can see now the holy horror with which they were struck when this veracious saint told them he was five years a priest without knowing there was such a book as the Bible. We believe, however, that these asseverations were a little too tough for very general belief, and we find soon after they were made that this truthful disciple had shifted his quarters from a church to a lecture-room. For although he was franked by a strolling commission from the Methodist Episcopal conference of Pennsylvania, their brethren here, be it spoken to their credit, seemed to look on him coldly as though they scorned, by lending him their countenance, to become accessory to the atrocious libels sought to be propagated against a highly reputable class of their fellow citizens. But while this *commissioned* preacher could not pass current enough with his *adopted* persuasion to secure the tender of more than one meeting-house for the delivery of his unclean scandals, we were sorry to see that the managers of a public saloon should have acted with such thoughtless precipitancy, and have so far forgotten their social obligations, as to degrade its uses by opening it to an individual who avowed his purpose to insult the religious feelings of a large number of this community, by discourses so indecent that females would blush to hear them, by charges so revolting as to debase the character of a most exemplary portion of our people, as well as of their ministers, below the level even of brute creation. It is, however, truly gratifying to know that the efforts of this calumniator found no response in the public opinion of the people of Baltimore. On the contrary, it was a matter of serious consideration with many sound-judging Protestants whether this man was not as much amenable to the law as the vender of indecent books or prints. They scorned to bolster up their religion by such unworthy means as this man would employ; looking upon that creed as having indeed a feeble foundation which seeks to build its strength upon the most palpable and monstrous calumnies, or on wholesale slander against those whom it might meet in fair and courteous discussion. For our own sakes we can not regret that this vagabond nondescript planted himself here to experiment upon the gullibility of a Baltimore auditory; but for the sake of others we do regret it—we regret it because of its demoralizing tendency, not upon the well disposed, but upon hearts young and fiery, hearts apt to swerve from spiritual impulses, and prone by nature to sensuality and

corruption, and always ready to drink in the intoxicating draught which is distilled from lewd discourses and scandalous speeches. We repeat that we do not regret the appearance of this obscene lecturer in our community, because his humbug and imposture here was truly still-born, all good citizens having united as one man to condemn the cool effrontery of his unclean lips, and to show to the world that, though we may differ in creeds, we can still fraternize as citizens. The press, which, with one or two honorable exceptions, cautiously weighs pence against independence, were so far at fault about the state of public opinion as to prefer to treat Signior Giustiniani with *silent* contempt. Some few of the journals, however, had the manliness to speak out in terms of glowing indignation against the nefarious insinuations of this obscene lecturer. They have our thanks, and are entitled to the thanks of every Catholic in Baltimore. Their upright course confirmed the judgment of the wavering, and went far to preserve that "peace and good will" among men which all should seek to foster, and which Giustiniani failed to disturb. He has gone from us more deeply embittered from disappointment, if a thing like him is capable of feeling, and has left his name as a term of reproach with all virtuous citizens.

Flebit et tota cantabitur urbe.

Diocess of Philadelphia.—*Ordination.* On Friday the 6th inst., the bishop conferred tonsure and minor orders, in the cathedral, on Messrs. Jeremiah Ahern and James Power.

On Saturday the 7th, the sacred order of subdeaconship was conferred on Mr. J. Power.

On Sunday the 8th, the sacred order of deaconship was conferred on Rev. Michael Malone, Richard O'Connor and James Power.

On Monday the 9th inst., the sacred order of priesthood was conferred on Rev. James Power and John Berbigier, both belonging to the diocess of Pittsburg.—*Catholic Herald.*

The ladies of the Sacred Heart have established a school for the instruction of young ladies, in the beautiful and spacious building near St. Charles' Seminary, a property recently purchased by Bishop Kenrick; the institution is to be one of the highest order, and I doubt not the success of the undertaking.

The pupils from McSherry's town, in this State, are to be transferred to this establishment.—*Correspondence Freeman's Journal.*

Diocess of Boston.—We regret to say that our latest accounts from the Rt. Rev. Bishop of Boston represent his health in a very precarious state.

Diocess of Mobile.—*Catholicity in Tuscaloosa, Ala.*

Messrs. Editors:—As it may be a source of gratification to your readers, as I am convinced it will be to yourselves, to learn the progress of our holy faith in this section of the union, I would beg permission in your valuable periodical to record its progressive influence amongst us.

Tuscaloosa is the capital of Alabama, the seat of government having been located here in 1833, since which period the population of the place has greatly increased. We can no longer, however, boast—if it is any thing to be proud of—of the seat of government being at this place, as by an act of the legislature, which has just ended its session, the capital has been transferred to Montgomery, as being a more central point than Tuscaloosa.

Tuscaloosa is located on the Warrior river, and its locality is high, healthy, and desirable as a place of residence. Within the last ten years it has increased in magnitude, beauty and commercial importance; and the river being navigable for steamers to it, affords facility to commerce, and the transportation of native produce. The state university, which is now in a flourishing condition, under the presidency of Dr. Manly, is situated at this place; besides several female academies, and preparatory schools of minor importance—all of which, however, are under the direction of Protestant teachers, and might fairly be considered as Protestant institutions of learning. We have, as yet, no Catholic school in the city, but hope this disadvantage will soon be obviated.

The great majority of our population are Protestants, and we have congregations and churches of Presbyterians, Methodists, Baptists and Episcopalians; all entertaining, as is generally the case, deep rooted prejudice against the Catholic religion, which, until recently, was but little known amongst them. Amongst such a population as ours, it may reasonably be inferred that the progress of Catholicity was but slow, especially as the number of Catholics in the place was too small to excite attention, or encourage its benign influence.

Until 1838, there were but few Catholics in the place who could be regarded as permanent citizens. Since that period, however, the number has increased, though they still compose by far the smallest congregation of any in the place. Previous to 1844, their spiritual wants were supplied by the occasional visit of a clergyman, either sent directly from Mobile for that purpose, or coming from some other adjacent station. Prior to the above date, and in consequence of the limited number of Catholics, as well as their limited means, no efforts were made towards the erection of a Catholic church in Tuscaloosa, nor even the permanent location of a clergyman in the city. The number of Catholics, however, continuing to increase until they reached nearly one hundred souls, the necessity for a resident pastor became evident, and, indeed, his presence indispensable. Through the zealous co-operation of our worthy bishop, the Rt. Rev. Dr. Portier, of Mobile, who has always manifested a lively interest in our spiritual welfare, we were enabled to provide for the support of a resident pastor, in January, 1844.

The Rev. Mr. Hackett, who was the clergyman solicited by the bishop to reside amongst us, entered upon his mission with no very flattering auspices. His congregation were few, poor, and unprovided with a suitable place for the celebration of our holy religion. As a substitute for a church, they rented a large store room, which was fitted up so as to afford temporary convenience. The gratification which was felt on the part of the congregation, in having a priest residing amongst them, seemed to obviate the inconvenience arising from want of a church, and no steps were taken towards the erection of one.

Our pastor, however, after a year's residence in the city, feeling the great inconvenience arising, both to himself and to his flock, from the exercise of his ministerial functions in a place not adapted to so holy a service; and, knowing likewise the disadvantage to the proper conception and discrimination of its holy tenets amongst our Protestant fellow citizens, that would necessarily result from a continuance of its exercise in an unsuited place, resolved to make some efforts towards the erection of a church, and thereby remove those disadvantages to religion.

This determination of our pastor, to commence a work of such importance, and amongst a congregation whose number and pecuniary circumstances were no guarantee to his success, rendered the undertaking dubious. But, as there is nothing that time and perseverance will not accomplish, we can not wonder that this undertaking should ultimately succeed. On Sunday, the 5th of May, 1845, the Rev. Mr. Hackett announced to his congregation his determination to solicit subscriptions with a view to the erection of a Catholic church in Tuscaloosa, which, with God's assistance, he hoped to be able to accomplish.

This declaration was gratifying to his congregation, and although they were comparatively poor, yet they contributed liberally towards so laudable and necessary an undertaking. A suitable lot was readily purchased, and a contract for a brick building fifty-five feet long, by thirty-two wide, entered into.

The work having thus commenced, it soon became evident that our Catholic population could not, of themselves, furnish adequate means for its completion. Our Protestant citizens were applied to for aid, and it affords me great pleasure on this occasion to bear testimony to the liberal manner in which they contributed towards our church. We also received aid from other portions of the state, and the Catholics of other states manifested their liberality towards us; which enables us now to congratulate ourselves on our possession of a suitable temple, almost free from debt, wherein we can worship and adore Almighty God, in spirit and in truth, according to the injunctions of his holy church. I should here remark that our success in this matter is owing, under God, to the indefatigable efforts of our esteemed pastor, who has spared no labor in his zeal to effect so desirable a consummation.

Sunday, 25th of January last, having been the day appointed for the dedication of this new edifice to the honor and service of Almighty God, under the patronage of St. John the Baptist, the Rt. Rev. Bishop Portier, the Rev. Mr. Lima, and our pastor, the Rev. Mr. Hackett, were in attendance. The day was propitious; and the august and imposing character of the ceremony being a novelty to our citizens, the church was crowded to excess at an early hour, all anxious to behold a ceremony which, to the Catholic, was a source of delight and edification, but to the Protestant of wonder and criticism. As the ceremony of dedication is, perhaps, one which is familiar

to most of your readers, it would be superfluous for me to give a detailed account of it on this occasion. I will, therefore, be as brief as possible.

About 11 o'clock the bishop, attended by the two above mentioned clergymen, entered the sanctuary, all in full vestments, the bishop wearing a splendid mitre, and bearing in his hand the crosier. He proceeded in front of the altar, which was handsomely decorated with artificials and evergreens, and lighted by six large wax candles, and many others of a different quality, and after making their obeisance, returned to the side where seats were prepared for them. The Rev. Mr. Hackett then ascended the altar and explained to the assembled congregation the nature and character of the ceremony which was about to take place. He showed that it was one of the remotest antiquity, and that however absurd or unmeaning it may appear to those who were not of his belief, still he could assure them that, when properly understood, it was one of the utmost importance, of the most significant meaning, and Christian and edifying tendency. He thanked the congregation, and the citizens generally, for the liberal support he had received from them in his efforts to erect that building, and hoped ere long to see it completely freed from debt. After the reverend gentleman had concluded his remarks, the bishop rose, proceeded to bless the mitre, and, accompanied by his attendants, walked round and blessed the exterior of the building. They again re-entered, passed up and down the aisles and blessed the interior of the church; after which the bishop proceeded to celebrate high mass, assisted by the clergymen in attendance. At the conclusion of the Gospel, he was unvested, entered the pulpit, and delivered a most admirable, eloquent, and impressive discourse. His text was taken from the 28th chap. and 18th, 19th, and 20th verses of the Gospel of St. Matthew:—"*All power is given to me, in heaven and in earth, going therefore, teach ye all nations; baptizing them in the name of the Father and of the Son, and of the Holy Ghost; teaching them to observe all things whatsoever I have commanded you, and behold I am with you all days, even to the consummation of the world.*"

After briefly adverting to the ceremony of dedication which was just concluded, he expressed the gratification which he felt in witnessing the zeal and devotion of the Catholics of Tuscaloosa in the cause, and for the advancement of their holy religion; for on that day, he said, he beheld a consummation which had long engaged his earnest solicitude. He then proceeded, in a clear and logical manner, to explain the nature of the injunctions of our Saviour to his apostles, as set forth in the Gospel which he had just read. Jesus Christ, he remarked, had endowed his apostles on this occasion with full power and authority to preach his Gospel to the world, and to teach the nations of the earth *all things whatsoever he had commanded them.* And in order that his apostles may have a complete knowledge of those truths which they were thus commanded to teach, he promised that he would *ask the Father, and he should send them another Paraclete, the Holy Ghost, who should teach them all things, and bring all things to their remembrance whatsoever I shall have said to you;* and like himself, *should abide with them for ever.* The apostles having thus received their commission from Christ himself, and having afterwards, in accordance with his promise, received the Holy Ghost, were duly constituted a corporation of teachers who were to impart to the people, not a part, but *all things whatsoever Christ had commanded them* to teach, which, in effect, was all things necessary for the salvation of mankind. After the reception of the Holy Ghost, they went forth, disseminating the doctrines they had received from their Divine Master amongst the nations of the earth, and gathering into the fold of Christ multitudes of the inhabitants of those nations which they visited. They established churches, and ordained priests and bishops to preside over them, and to minister to the people.

He clearly illustrated the necessity of apostolic succession in the church, and proved that the promise of Christ to his apostles—to remain with them to the consummation of the world—was not made to them alone, for they were not to exist always, but also to their successors in the ministry, who should through *their* successors perpetuate the doctrines of Christ until the consummation of time; for it was necessary that the church of God should subsist during all ages, and continue, *guided by the Spirit of truth,* to teach all things whatsoever Christ had delivered to his apostles, and to prepare mankind for an eternal abode in the kingdom of heaven.

He recurred to the teachings of the holy fathers of the first four centuries upon this point, and proved from their writings that an apostolic succession of the ministry was an indispensable ingredient in the church of God. He then went on to show that, amongst the numerous denominations of Christians who now inhabit the globe, there is none who can justly lay claim to the regular apostolic succession of their ministry, so necessary for the purity of faith, but the Catholic church.

It is she alone who has carefully preserved the sacred deposit of divine faith entrusted to her by the apostles of Christ, and she alone who has had a visible existence in the world since the days of the apostles to the present, for she alone could exhibit an unbroken succession of her ministry during that period. In her bosom lived and died those saints and martyrs who were celebrated alike for their learning, their piety, and for the exemplary Christian lives which they led. It was by her power and benign influence that civilization gained footing in barbarous nations, and the different nations of Europe, and, indeed, of the world, became Christian, through her instrumentality. Though centuries have elapsed since she first received her commission from her divine founder, still she is found at the present day inculcating the same doctrines, and enforcing the same truths which the apostles themselves enforced and inculcated. She has encountered all difficulties, and surmounted every obstacle to her progress that the world could devise; and, as she continues under the direction of her divine founder, will surmount all difficulties, and continue to subsist to the end of time; for the word of God can not fail, neither can his law be abrogated. He concluded this interesting and highly edifying discourse by a recapitulation of the different points which he had made during his sermon—namely: that Christ had formed his apostles into a corporation of teachers, who should teach *all truth;* and that, in thus teaching, he should be with them, and with their lawful successors, to the end of time. That the apostles, in accordance with the commands of Christ, did preach the Gospel to all the nations of the earth, known at that time; that they established churches, consecrated bishops, and transferred to them the same power and authority that they had received from Christ; that the churches established and the doctrines taught by the apostles and their immediate successors were the same as those taught by the Catholic church of the present day; that the ministry was the same, as an uninterrupted succession through all past ages clearly manifested; and that the same doctrines would continue to be taught by her through all succeeding ages; for her divine founder has expressly declared that heaven and earth may pass away, but not one jot or tittle of the law should fail till all be fulfilled. I have here given but a very imperfect outline of this profound sermon; time and space will not permit me to do its author more ample justice. The sermon occupied about an hour and a half, after which the bishop resumed the celebration of mass, and at the conclusion gave the benediction, when the congregation separated.

Thus terminated the fulfilment of an object which twelve months ago could not, by any possibility, have been realized. J. D.

Tuscaloosa, Feb., 1846.

Diocess of Cincinnati.—*Ordination.*—On Tuesday, 24th inst., the feast of St. Matthias, Ap., the Rt. Rev. bishop conferred the minor orders on the following seminarians of this diocess, Messrs. Thomas Boulger, John Henry Luhrs, and Peter Cyril Delacroix.—*Cincinnati Telegraph.*

Dedication.—On the second Sunday of Lent, a new church was dedicated at Piqua, by the Rt. Rev. Dr. Purcell, under the invocation of the Blessed Virgin Mary.—*Ibid.*

Diocess of St. Louis.—*Retreat.*—It is expected that a spiritual retreat will be given to the congregation of the church of St. Francis Xavier, to begin on Sunday, the 15th inst., and continue for eight days. The retreat will be conducted by Rev. Father Larkin, who has been invited from Kentucky for the purpose.—*News Letter.*

Diocess of Milwaukie.—From an interesting letter, dated from Milwaukie, and published in the *Wahrheits Freund*, of Cincinnati, we extract the following, concerning that young, but flourishing diocess.

The number of Catholic clergymen has been doubled last year in Wisconsin. A new church has been opened at Mineral Point. The Rev. Adelbert Inama, a religious of the order of Premonstrat, has been stationed at Sac Prairie, where he intends erecting a monastery of his order. A new church is to be commenced in spring, for the use of the German Catholics of Milwaukie.

Diocess of Chicago.—A lot and house have been purchased in Virginia, Cass co., for the use of the Catholics of the neighborhood, to be attended monthly from Springfield.—*News Letter.*

MISCELLANEOUS ITEMS.

THE "AMERICAN CHURCH."—The *Catholic News Letter* of St. Louis has kindly hinted to us that the term *American church*, as used on the Magazine cover, is "not well applied to any thing that is Catholic, and not so proper as to say the *church in America*." We thank our esteemed cotemporary for the amiable manner in which he has given us the advice, and we have been induced by it to take the matter into serious consideration. After mature reflection and investigation, however, we are free to confess that we do not see the conclusiveness of our friend's remarks. We think that the term *American church* is just as proper as the one which he suggests, to express that portion of the Catholic world who inhabit America. There is but one true church, and consequently in speaking of it we use the definite article *the*, which determines what we mean. The addition of an adjective, merely qualifying the church in point of place or time, does not change the principal idea, and hence whether we say *the American church*, or *the church in America*, the sense is unequivocally plain. Some of the best and most exact Catholic writers of our own times employ the expression which we have used, and it is better in our opinion to use it in the obvious sense without imagining certain possible perversions of it, to which all human phrases are equally liable. Dr. Lingard has given to one of his most able works the title, "History and Antiquities of the Anglo-Saxon church," an expression precisely similar to that of the *American church*. And, if our friend will turn to the 31st and 35th numbers of the *Dublin Review*, he will find its writers using the terms, *British church*, *Gallic church*, *Irish church*, to designate the church in ancient Britain and in Gaul, and now in Ireland. Hence also in France the term, *clergé Gallican*, or *l'eglise Gallicane*, signifies nothing more nor less than the French clergy or the French church; that is to say, that portion of the Catholic clergy or Catholic church that is found in France. In short these adjectives denote merely a geographical distinction, and we do not think that they should be laid aside, because of any doctrinal distinction that might *possibly* be implied by it; for this possibility will always exist in regard to all expressions, whether the adjective be placed before or after the substantive.

THE CHURCHMAN AND SYMBOLISM.—The editor of the Churchman is very much in the habit of making assertions, especially when he comes in contact with stubborn Catholic principles, which expose his want of self-command, and betray a hasty disposition. His reference to Mr. Kip's reviewer, in the "U. S. Catholic Magazine," gives unequivocal evidence of this, in which he charges him with "ignorance self-exposed," for understanding the term "symbolism" in the meaning given to it by Dr. Moehler. This meaning, as well as the other, namely, "of religious emblems," Mr. Kip himself has adopted; when he distinctly says that the early martyrs "tell *their own simple faith* and devotion by the changeless emblems which are as expressive as words," p. 196. Mr. Kip consequently would fain imply that the chief "information we have with regard to Christian" FAITH is to be derived from the catacombs. Had he not mentioned the word *faith*, the critique passed upon this sentence never would have been made; nor would there have been any cause for being "startled" at it. The fact is that the traveller's intention was to contrast the faith of Rome as now developed and displayed in her ceremonial and pomp with the "simple faith" (insinuating always that the former is corrupt) of the martyrs whose remains rest in the ancient catacombs. This he more clearly insists upon in the following sentence: "As we trace these pictured inscriptions down through successive generations, they unfold to us the gradual change which crept over the feelings of the church. It seems to present a *strange contrast*," p. 196.

If he meant mere "religious emblems," it would be absurd to state that any change "has crept" into the church regarding them. Those emblems of faith and charity—those palm branches, fishes, and phials of blood, are now held precisely in the same veneration, and proclaim the same trophies of martyrdom, as in the primitive ages. No change has ever "crept into the feelings of the church of Rome" in these matters. Mr. Kip must, therefore, have intended to convey the signification of "symbolism" which the reviewer has adopted.

The "Churchman," in concluding his remarks, exultingly affirms that the one creed of the "martyred faithful" was no other than the apostles', and adds: "Surely that creed is enough without Pope Pius' additions."

If this sentiment had emanated from an Unitarian, it would not have been surprising. But really it comes with a singularly bad grace from an Episcopalian divine who, together with the apostles' creed, can not consistently but admit and revere the "additions" of that of Nice, as also that of Athanasius.

TO CORRESPONDENTS AND READERS.—The communication of our correspondent from Tuscaloosa arrived too late for insertion in the last number of the Magazine. It will be found in the intelligence columns of this month. We hope that our friends in Alabama will continue to favor us with similar accounts of the condition and progress of religion in that part of the country.

We have several papers on our table the publication of which has been delayed by the insertion of other articles that appeared under existing circumstances to require more immediate attention. The lengthy review, in this number, of Mr. Kennedy's address before the Maryland Historical Society has excluded the usual variety of matter, by occupying much more space than is generally given to one article. But the friends of the Magazine, whether contributors or readers, will no doubt agree with us that the pages of our periodical could not, at this time, be devoted to a subject of

greater importance than the refutation of the novel positions recently assumed by the orator of the Maryland Historical Society. His discourse was an attempt to obscure the bright halo which all veridical history had thrown around the character of Lord Baltimore, the founder and first proprietary of this province, and to mystify the universally prevailing belief, that Catholics had been the first to unfurl on this virgin soil the standard of civil and religious freedom. The reviewer of Mr. Kennedy has placed these subjects in a clearer light than is to be found in any writer on the subject, and, by the ability and research with which he has illustrated the colonial history of our state, he has exposed most glaringly to view the unfortunate errors of Mr. Kennedy's address. We hope that this review will be widely circulated. It is but a just vindication of Maryland's honor, and that of her Catholic founders; and the Maryland Historical Society, by placing it before its members, will make some *amende* for the extraordinary performance of its last orator.

We are much indebted to our friends for the following communications: 1. *Christian union.* 2. *The Absolving Power.* 3. *Three Questions on the Middle Ages.* 4. *Mr. Gilliam's Travels.* 5. *Confession to Priests.* 6. *The Tractarian Movement.*

The stanzas sent us over the signature of S. S. A. are too deficient in poetical inspiration, and too inaccurate in versification, to obtain a place in the Magazine. We admire the spirit that dictated them, but a due regard for public taste forbids their publication.

OBITUARY.

Died, on Monday, 23d inst., Timothy White, aged 28 years, a pious student of Mt. St. Mary's, Emmitsburg, and afterwards at Baltimore.

It is our melancholy duty to record the afflicting loss which the Catholics of this city have recently sustained by the death of the Rev. Alexander Muppiatti, late associate pastor of Transfiguration church, New York. He expired on Friday evening, the 20th inst., in the forty-third year of his age. The Rev. Mr. Muppiatti was a native of Italy, and a member of the order of Carthusians, whose austere rule his piety and zeal induced him to embrace at an early period of life.—*F. Jour.*

Died, on the 28th of February, 1846, Rev. Theodore Mary De Theux, S. J.

This true and humble follower of St. Ignatius was born at Liege, in Belgium, on the 23d of January, 1789, of parents distinguished both by nobility of birth and devoted piety in religion. Theodore De Theux was the eldest of three sons. From his earliest years he gave unequivocal signs of a vocation to the clerical state. Hence, having completed his course of humanities, he entered the ecclesiastical seminary at Namur, where, after his promotion to the sacred order of priesthood, he filled, during two succeeding years, the chair of mental and moral philosophy. Desirous of extending the kingdom of Jesus Christ, he left Belgium in the year 1816 for the United States, having resigned his title of Chevalier De Mrytland to his elder brother, who was late prime minister to Leopold, first king of the Belgians. On arriving in the United States, he repaired to Georgetown college, D. C., where he was received into the Society of Jesus by Rev. Anthony Kohlman. During the lapse of thirty years which he spent in this society, he filled successively the following offices:—He was pastor of Trinity church, D. C., during seven years; superior of the Society of Jesus in Missouri from 1829 to 1831; master of novices from 1831 to 1836; pastor of St. Charles, Grand Coteau, La., from 1838 to 1842; spiritual director of St. Xavier college, and of the academy of the Sisters of Notre Dame from 1842 to 1845; pastor of St. Charles, Missouri, from August 1845 till the 28th of February, 1846, when he slept happily in the Lord.

Rev. Father De Theux was a man remarkable for his great humility, entire self-denial, and a universal zeal in laboring for the salvation of his neighbor.—*Cin. Tel.*

Died, on the Brandywine, on Saturday the 7th of March, Mrs. Alice O'Donnell. The deceased was a dutiful daughter, a fond wife, a devoted mother, an affectionate sister, and true friend; and, having ever been faithful in the discharge of her religious duties, we hope she has passed from works to her reward. May her soul rest in peace.—*Cath. Her.*

LITERARY NOTICES.

Poverty and the Baronet's Family. A Catholic Novel. By the late Henry Digby Beste, Esq. Philadelphia: W. J. Cunningham.

This story seems to owe its conception to the bitter wrongs and cruelties practised upon the Irish people, as well as to a desire, perhaps the primary one of the author, to illustrate, from the character of the Irish peasant, the truth, the beauty, and the solaces of Catholic worship. *Doctrine* is but slightly touched, yet always with interest, but *practice* is beautifully and feelingly illustrated in the picture of Bryan O'Meara and his mother, and in the pure and benevolent character of Father Piron. In one point of view, the contrast between the humble and the aristocratic is happily drawn, showing that virtue and principle are not peculiar to any caste or condition: we wish only the author had left Bryan for a boast to that humble and virtuous class in which he first finds him; but, like all English novel writers who reverence their legalized distinctions of birth, as his hero was a meritorious one, he unriddles his inborn dignity and innate worth by showing him up in the conclusion as one of lofty lineage. This does not detract from the interest of the story, which is well sustained throughout, and which is worth encouragement. O'Meara, however, in our view, would have been a shade more interesting if he had not discovered his lineage,

and become *the* O'Meara. We like worth whenever we find it; not the less when existing among the titled gentry, but the more when it has manifested itself without the adventitious aids of birth, titles, or influence, and do not think because a man is great that he must have a great pedigree.

> The rank is but the guinea stamp,
> The man's the gold for a' that.

The Shortest Way to end Disputes about Religion in two parts. By Rev. Robert Manning. Boston: Patrick Donahoe. 12mo.

This work abounds in astute and logical expositions, and is written with great spirit. Its racy and perspicuous style, its candid manner, bordering in some instances on bluntness, and its quaint expressions, characteristic of the age in which it was written, all conspire to divest its subject of that dryness which casual readers are apt to find in writings explanatory of Catholic doctrine. Controversy upon religious matters is of such constant recurrence, and the same points of difference are so often debated, that people are disposed to overlook unduly the meritorious efforts of the champions of their faith. We hope such will not be the fate of this republication, for we have rarely opened a book of the kind that has kept up our interest more steadily to its end, or one that we could more sincerely commend for its plainness, power and ease of comprehension. In manner, though dissimilar, it reminds us somewhat of the style of Cobbet. The writer has confined himself mainly to the discussion of the infallibility of the church in matters of faith, considering that, if this be proved, it "cuts off all particular disputes, which, like skirmishes between small parties, serve only to prolong a war when it may be ended by one decisive battle." He proves this infallibility from the testimony of the fathers, as well as of the Scriptures, shows its reasonableness and necessity, and the folly and absurdity of those who would escape from his arguments by the distinction between fundamentals and non-fundamentals. We give the following as an instance of his bluntness, force, and perspicuity:

"I prove, again, that heresy and unity of faith are inconsistent; because heresy is the natural product of private judgment, and private judgment is a constant source and principle of division. The reason whereof is manifest; because men differ not only from one another in their private judgment,—nay, it is morally impossible it should be otherwise,—but are frequently inconsistent even with themselves; so that as often as they see things in a different light, they are apt to change their belief accordingly. Hence it is that no heresy ever came into the world but various sects spawned from it soon after; and a dunghill is not more fruitful in breeding vermin than private judgment, and Scripture corrupted by it, are in producing sects. It is, therefore, morally impossible that a church corrupted with any heresy should be one."

From the demonstration of his first position, that Christ has left his church an infallible guide, he proceeds to show that "the church in communion with the see of Rome has alone a just title to infallibility, tracing its history and purity to the foundation of Christianity. In answer to those who affect to believe Protestantism of an older date than Catholicity, he thus discourses:

"I desire some tolerable account of the particular circumstances of this change; as who were the principal actors in it—in what age it happened—whether it came in by degrees or all at once. If all at once, then we must either suppose that the whole Christian world went to bed Protestants and rose Papists the next morning, by unanimous consent; or that a formidable body of Papists, like Cadmus's armed men, rose out of the ground, and in a trice cut the throats of all true Protestants in the world; or, finally, that popery dropped from the clouds, and got full possession of the universal church without being perceived by any body till the clear-sighted Martin Luther made the happy discovery; for truly I can think of no other way to render it possible that it should get admittance all at once, or without opposition, noise, or trouble."

The reader may also learn from the author, some wholesome lessons in logic; for he is not always satisfied with cogent and conclusive arguments, but at times prepares the reader for their just appreciation, by directing his mind to a proper discrimination of the force and meaning of logical rules. For example, he thus replies to those schoolmen who deny the inconclusiveness of negative proof:

"Some negative arguments are as strong as any positive demonstration; though there be others that are frivolous and childish. As, for instance, it is as strong as any positive demonstration, that Great Britain never was conquered by the Turks, because no history has ever made mention of it; and a man that should refuse to yield to such a proof because it is but a negative one, would justly deserve to be cudgelled into better reason. But if any one should seriously maintain that neither William the Conqueror nor Henry VIII ever ate black puddings because the fact is not recorded in any history, I believe he would not get the reputation of a profound wit by it. Now these two specimens may, in some measure, direct us to distinguish a good negative argument from a bad one."

The remainder of the first part of this work is devoted to an examination of the character of Luther. The second part contains a rejoinder, which is a reply to a book entitled "The case stated between the church of Rome and the church of England." The execution of this work is highly creditable to the publishers. The press work, typography, and paper are of a style to command praise even for Boston mechanics, so famed for skill in all enterprises. We thank the publishers for reproducing this interesting book, and hope that they will reap an honest reward for so deserving an undertaking.

☞ Other notices are unavoidably crowded out this month.

Composed expressly for the U. S. Catholic Magazine.

SAINT JOHN'S GRAND MARCH.

BY

PROF. BIELMANN,

OF MT. ST. MARY'S COLLEGE.

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